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among the members of the Majority Conference to serve at the pleasure of the Speaker. The Minority Conference shall select a Minority Leader from among the members of the Minority Conference.

(c) OTHER OFFICERS. The Speaker shall appoint a Clerk and a Sergeant at Arms, who shall be employees of the House.

1.2—Political Party Conferences

Conference rules shall be interpreted and enforced solely by the respective caucuses.

1.3—Seating Challenges

In the case of a contest for a seat in the House, notice setting forth the specific grounds of such contest and the supporting evidence must have been received by the Clerk not less than 5 days before the organization session of the Legislature. No motion to disqualify a member shall be in order at the organization session until a Speaker has been elected in accordance with the Florida Constitution. In the case of a special election, notice must have been received by the Clerk not less than 5 days before the next regular or special session convenes. If the election is during a session or less than 5 days before the next session, the notice must have been received on the next legislative day following the receipt of certified election results. A contest setting forth facts sufficient to warrant review shall be referred by the Speaker to an appropriate committee or subcommittee ~~council or committee~~. The

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committee or subcommittee ~~council or committee~~ shall conduct hearings as required and report its findings and recommendations to the House. Upon receipt of the committee or subcommittee ~~council or committee~~ report, the House shall convene with all dispatch to determine the contest by a majority vote.

RULE TWO—POWERS, DUTIES, AND RIGHTS OF THE SPEAKER

2.1—Presiding

The Speaker shall take the chair and call the House to order at the hour appointed for meeting and, if a quorum is present, shall proceed with the order of business.

2.2—Interpreting Rules

The Speaker shall interpret, apply, and enforce the Rules of the House.

2.3—Deciding Questions of Order

(a) DETERMINATION BY THE SPEAKER. All questions of order shall be presented to the Speaker for determination. The Speaker may require the member raising a point of order to cite the rule or other authority in support of the question. The Speaker may decide the question of order, put such question to the House, or refer such question to the Chair of the Rules & Calendar Committee ~~Council~~ for a recommendation to the Speaker. Any decision of the Speaker on a point of order is subject to an

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appeal to the House made timely and separately by any five members.

(b) QUESTIONS OF ORDER ARISING IN COMMITTEE OR SUBCOMMITTEE ~~COUNCIL OR COMMITTEE~~. A question of order may be certified by a committee or subcommittee ~~council or committee~~ chair to the Speaker for determination as any other question of order. A question of order decided in committee or subcommittee ~~council or committee~~ may be appealed to the Speaker, provided the appeal is announced in the committee or subcommittee ~~council or committee~~ meeting, presented in writing, signed by two members of the committee or subcommittee ~~council or committee~~, and delivered to the applicable chair prior to 4:30 p.m. the next day (excluding Saturdays, Sundays, and official state holidays). The appeal must then be immediately certified by the chair to the Speaker, who shall decide the question as any other question of order. The certification or appeal of a question arising in committee or subcommittee ~~council or committee~~ does not constitute an automatic stay of further action on the measure to which the question relates.

(c) APPEAL TO THE HOUSE. When a decision of the Speaker on a question of order is appealed, the Speaker shall put the appeal to the House. No member may speak more than once, or for more than 3 minutes, on an appeal unless given leave by the House by majority vote.

(d) DECISIONS NOT SUBJECT TO APPEAL. Responses to parliamentary inquiries and decisions of recognition made by the Speaker may not be appealed.

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2.4-Execution of Documents

The Speaker shall sign all bills and all writs, warrants, and subpoenas issued by order of the House, all of which shall be attested to by the Clerk. The Speaker may delegate the authority to sign papers authorizing payments or other papers of an administrative nature.

2.5-Appointment of a Temporary Presiding Officer

(a) The Speaker may appoint any member to perform the duties of presiding officer for a temporary period of time not to extend beyond a single legislative day.

(b) If the Speaker is absent and has not appointed a presiding officer pursuant to subsection (a) ~~made such an appointment,~~ the Speaker pro tempore shall act as presiding officer during the Speaker's absence. However, if the Speaker pro tempore is also absent and has not appointed a presiding officer pursuant to subsection (a) ~~made such an appointment,~~ the Chair of the Rules & Calendar Committee ~~Council~~ shall act as presiding officer during the absence of both the Speaker and Speaker pro tempore ~~or may appoint another member to perform such duties.~~

(c) Upon the Speaker's incapacity or other inability to serve, the Speaker pro tempore shall exercise the duties, powers, and prerogatives of the Speaker during the period of such incapacity or other inability to serve.

(d) The Speaker pro tempore shall exercise the duties,

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powers, and prerogatives of the Speaker in the event of the Speaker's death or resignation, ~~illness, removal, or inability to act~~, until the Speaker's successor is elected.

2.6—Protecting the Interests of the House

The Speaker may initiate, defend, intervene in, or otherwise participate in any suit on behalf of the House, a committee or subcommittee ~~council or committee~~ of the House, a member of the House (whether in the legal capacity of member or otherwise), a former member of the House, or an officer, employee, or agent of the House when the Speaker determines that such suit is of significant interest to the House.

2.7—Control of House Facilities

The Speaker shall have administrative control of the Chamber when the House is not in session and of every other room, lobby, and gallery of the House.

RULE THREE—MEMBERS

3.1—Membership

The House shall exercise its right to be the sole judge of the qualifications, elections, and returns of its members.

3.2—Voting Obligation

Except when abstention is required, every member shall have an obligation to vote on all matters that come before the House in

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session or before any committee or subcommittee ~~council or~~
~~committee~~ to which the member is appointed. A member may not
 vote by proxy. A member may register an electronic vote in the
 Chamber for another member at the other member's specific
 request and direction, provided the requesting member is in the
 Chamber during the vote.

(a) ABSTENTION ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS.
 A member may not vote on any measure that the member knows or
 believes would inure to the member's special private gain or
 loss. The member must disclose the nature of the member's
 interest in the matter from which the member is required to
 abstain.

(b) DISCLOSURE ON MATTERS OF SPECIAL PRIVATE GAIN OR LOSS
 TO FAMILY OR PRINCIPALS.

(1) When voting on any measure that the member knows or
 believes would inure to the special private gain or loss of:

a. Any principal by whom the member or the member's
spouse, parent, or child is retained or employed;

b. Any parent organization or subsidiary of a corporate
principal by which the member is retained or employed; or

c. A relative or business associate of the member ~~family~~
~~member of the member or to the special private gain or loss of~~
~~any principal by whom the member or a family member of the~~
~~member is retained or employed,~~

the ~~a~~ member must disclose the nature of the interest of such
 person in the outcome of the vote.

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(2) For the purpose of this rule, the term:

a. "Relative" means any father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, or daughter-in-law.

b. "Business associate" means any person or entity engaged in or carrying on a business enterprise with the member as a partner, joint venturer, corporate shareholder where the shares of such corporation are not listed on any national or regional stock exchange, or co-owner of property ~~family members include the member's spouse, parents, and children.~~

(c) METHODS OF DISCLOSURE. If the vote is taken on the floor, disclosure under this rule or under any related law shall be accomplished by ~~promptly~~ filing with the Clerk, within 15 days after the vote occurs, a memorandum, the substance of which shall be printed in the Journal. If the vote is taken in a committee or subcommittee ~~council or committee~~, the memorandum shall be filed, within 15 days after the vote occurs, ~~promptly~~ with the committee or subcommittee ~~council or committee~~ administrative assistant, who shall file such memorandum in the committee or subcommittee files and with the Clerk ~~attach such memorandum to the council or committee report.~~

3.3-Attendance Obligation

(a) COMMITTEE AND SUBCOMMITTEE ~~COUNCIL AND COMMITTEE~~ MEETING ATTENDANCE. A member shall attend all meetings of committees and subcommittees ~~councils and committees~~ to which appointed unless excused by the chair or by the Speaker. Excuse

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from a House session shall constitute excuse from that day's meetings. Failure to attend two consecutive meetings, unless excused, shall constitute automatic removal from the committee or subcommittee ~~council or committee~~ and create a vacancy. Upon notification of automatic removal, the Speaker may make an appointment to fill such vacancy.

(b) SESSION ATTENDANCE.

(1) A member may not be absent from the sessions of the House without approval from the Speaker. Upon written request of a member submitted in a timely manner, the Speaker may, by written notice to the Clerk, excuse the member from attendance for any stated period. It shall be the responsibility of the excused member to advise the Clerk when leaving and returning to the Chamber.

(2) Any member who has answered roll call, either orally or by electronic means, at the opening of any daily session, or who enters after the initial quorum call and informs the Clerk of the member's presence, shall thereafter be presumed present unless necessarily prevented or leave of absence is obtained from the Speaker. The Speaker shall make any determination as to whether a member was necessarily prevented.

3.4-Open Meetings

(a) Subject to order and decorum, each member shall provide reasonable access to members of the public to any meeting between such member and more than one other member of the Legislature, if such members of the public have requested

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admission and such meeting has been prearranged for the purpose of agreeing to take formal legislative action on pending legislation or amendments at such meeting or at a subsequent time.

(b) Subject to order and decorum, a member of the public requesting admission shall have reasonable access to any meeting between the Speaker, the Senate President, or the Governor, if such meeting has been prearranged for the purpose of agreeing to take formal legislative action on pending legislation or amendments at a subsequent time.

(c) No meeting required by these rules to be open to members of the public shall be conducted in the Members' Lounge, at any location that is closed to the public, or at any location that a participating member knows prohibits admission on the basis of race, religion, gender, national origin, physical disability, or similar classification.

(d) Meetings conducted in the Chamber of either the House or the Senate while such body is in session shall be considered to be held at a location providing reasonable access to, and to be reasonably open to, the public.

(e) When the number of persons attending a meeting subject to this rule must be limited because of space considerations or otherwise for the maintenance of order or decorum, at least one representative each of the print, radio, and television media shall be included among the members of the public admitted, if such persons have requested admission.

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(f) For the purpose of this rule, and as used in Section 4 of Article III of the Florida Constitution, legislation shall be considered pending if filed with the Clerk. An amendment shall be considered pending if it has been delivered to the administrative assistant of a committee or subcommittee ~~council or committee~~ in which the legislation is pending or to the Clerk, if the amendment is to a bill that has been reported favorably by each committee or subcommittee ~~council or committee~~ of reference, and the term "formal legislative action" shall include any vote of the House or Senate, or of a ~~council, committee, or subcommittee~~ of either house, on final passage or on a motion other than a motion to adjourn or recess.

RULE FOUR—DUTIES OF CLERK,
SERGEANT AT ARMS, AND EMPLOYEES

4.1—The Clerk

(a) The Clerk serves at the pleasure of the Speaker. The Clerk shall:

(1) Be the custodian of all bills, resolutions, and memorials. No member or other person may take possession of an original bill, after filing, with the intention of depriving the Legislature of its availability for consideration.

(2) Provide for the keeping of a complete record of introduction and action on all bills, resolutions, and memorials, including each number ~~the number(s)~~, each sponsor ~~the sponsor(s)~~, each cosponsor, a brief description of the subject

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matter, and each committee and subcommittee ~~council and~~
committee reference.

(3) Keep a correct journal of proceedings of the House.
The *Journal* shall be numbered serially and published from the
first day of each session of the Legislature.

(4) Superintend the engrossing and transmitting of bills,
resolutions, and memorials and approve the enrolling of all
House bills.

(5) Sign and receive necessary papers in the name of the
House between a general election and election of the Speaker.

(6) Perform any other duties assigned by the Speaker.

(b) It shall be a ministerial duty of the Clerk to attest
to all writs issued by order of the House and to the passage of
all legislative measures.

4.2-The Sergeant at Arms

The Sergeant at Arms (hereinafter "Sergeant") serves at the
pleasure of the Speaker. The Sergeant shall attend the House
during its sittings and maintain order under the direction of
the Speaker or other presiding officer. In case of any
disturbance or disorderly conduct within the Chamber, corridors,
passages, lobby, galleries, and rooms of the House, whether in
the Capitol or elsewhere, the Speaker may order the Sergeant to
suppress the same and may order the Sergeant to remove any
person creating any disturbance. The Sergeant will ensure that
no person is admitted to the Chamber except in accordance with
these rules. The Sergeant shall oversee the security of the

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House and its members when engaged in their constitutional duties and perform other duties under the command and supervision of the Speaker.

4.3-The Employees

The Speaker shall employ all employees of the House and shall determine their qualifications, duties, hours of work, and compensation, including perquisites and other benefits. All employees work for and serve at the pleasure of the Speaker. The Speaker has the right to dismiss any employee of the House without cause, and the pay of such employee shall stop on the designated day of dismissal. Except when operating under direction from a member with authority over the designated employee, no House employee shall seek to influence the passage or rejection of proposed legislation.

RULE FIVE-FORM AND INTRODUCTION OF BILLS

5.1-"Bill" Stands for All Legislation

Except when the context otherwise indicates, "bill," as used in these rules, means a bill, joint resolution, concurrent resolution, resolution, memorial, or other measure upon which a committee or subcommittee ~~council or committee~~ may be required to report.

5.2-Member Bill Filing Deadline

Filing deadlines for member bills shall be as follows:

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(a) No general bill, local bill, joint resolution, concurrent resolution (except one relating to extension of a session or legislative organization or procedures), substantive House resolution, or memorial shall be given first reading unless approved for filing with the Clerk no later than noon of the first day of the regular session.

(b) No ceremonial resolution shall be given first reading unless approved for filing with the Clerk prior to the 46th day of regular session.

5.3-Limitation on Member Bills Filed

(a) A member may not file more than six bills for a regular session. For purposes of this rule, the member considered to have filed a bill is the first-named sponsor of the bill.

(1) Of the six bills for the 2011 regular session, at least two must be approved for filing with the Clerk no later than noon of the 6th Tuesday prior to the first day of that the regular session.

(2) Of the six bills for the 2012 regular session, at least two must be approved for filing with the Clerk no later than noon of the 5th Tuesday prior to the first day of that regular session.

(b) Bills not counted toward these limits include:

- (1) Local bills, including local claim bills.
- (2) Ceremonial House resolutions.
- (3) Memorials.

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(4) Concurrent resolutions relating to extension of a session or legislative organization or procedures.

(5) Trust fund bills adhering to another bill.

(6) Public records or public meetings exemption bills adhering to another bill.

(7) General bills adhering to a joint resolution.

(8) Bills that only repeal or delete, without substantive replacement, provisions of the Florida Statutes or Laws of Florida.

(9) Bills withdrawn from further consideration prior to the applicable filing deadline.

(c) A member may file an additional bill after the first committee or subcommittee of reference reports a repealer bill as described in paragraph (b) (8) favorably or favorably as a committee or subcommittee substitute. The additional bill must be approved for filing with the Clerk by noon of the 21st day of regular session. No more than three additional bills may be filed under this subsection.

5.4—Forms of Measures; Sponsorship Transactions

(a) To be acceptable for introduction, all bills shall be produced in accordance with standards approved by the Speaker.

(b) No member may be added or deleted as a sponsor or cosponsor of a bill without the member's consent. A member desiring to be a cosponsor must submit to the Clerk a cosponsorship request agreed to by the first-named sponsor. A

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member may withdraw as a cosponsor by submitting a request to the Clerk.

(c) Bills that propose to amend existing provisions of law shall contain the full text of the section, subsection, or paragraph to be amended. Joint resolutions that propose to amend the Florida Constitution shall contain the full text of the section to be amended. As to those portions of general bills and joint resolutions that propose to amend existing provisions of the Florida Statutes or the Florida Constitution, words to be added shall be inserted in the text underlined and words to be deleted shall be lined through with hyphens. If the change in language is so general that the use of these procedures would hinder, rather than assist, the understanding of the amendment, it is not necessary to use the coded indicators of words added or deleted, but, in lieu thereof, a notation similar to the following shall be inserted immediately preceding the affected section of the bill: "Substantial rewording of section. See s. . . . , F.S., for present text." When such a notation is used, the notation, as well as the substantially reworded text, shall be underlined. The words to be deleted and the above-described indicators of such words and of new material are for information and guidance and do not constitute a part of the bill under consideration. Numerals in the margins of the line-numbered pages do not constitute a part of the bill and are shown on each page only for convenience in identifying lines. Section catchlines of existing text shall not be underlined, nor shall

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any other portion of a bill covered by this rule other than new material.

5.5-Local Bills

(a) If the substance of a local bill may be enacted into law by ordinance of a local governing body without the legal need for a referendum, no committee or subcommittee ~~council or committee~~ may report the bill favorably.

(b) A local bill that provides an exemption from general law may not be placed on the Special Order Calendar in any section reserved for the expedited consideration of local bills.

(c) All local bills, including local claim bills, must either, as required by Section 10 of Article III of the Florida Constitution, embody provisions for a ratifying referendum (stated in the title as well as in the text of the bill) or be accompanied by an affidavit of proper advertisement, securely attached to the original bill ahead of its first page.

5.6-Claim Bills

(a) The Speaker may appoint a Special Master to review a claim bill or conduct a hearing, if necessary. The Special Master may administer an oath to all witnesses, accept relevant documentary and tangible evidence offered as deemed necessary, and record the hearing. The Special Master may prepare a final report containing findings of fact, conclusions of law, and recommendations. The report shall be signed by the Special Master, who shall be available, in person, to explain his or her

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report to any committee or subcommittee ~~council or committee~~ of reference.

(b) Stipulations entered into by the parties are not binding on the Special Master or the House or any of its committees or subcommittees ~~councils or committees~~.

(c) The hearing and consideration of a claim bill shall be held in abeyance until all available administrative and judicial remedies have been exhausted, except that the hearing and consideration of a claim that is still within the judicial or administrative system may proceed when the parties have executed a written settlement agreement.

5.7-Reviser's Bills

Reviser's bills shall be introduced by the Rules & Calendar Committee ~~Council~~, which may request prior review by another committee or subcommittee ~~council or committee~~.

5.8-Legislative Reapportionment and Congressional Redistricting Bills and Amendments

Bills and amendments proposing any reapportionment or redistricting of the state's legislative or congressional districts shall be submitted to the Redistricting Committee in the form prescribed by the Speaker. The committee staff of the Redistricting Committee shall submit such proposals to the House Bill Drafting Service as requested by the sponsor. After final drafting, approval for filing shall be in the ordinary manner.

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5.9 ~~5.8~~ Memorials

A memorial expresses the opinion of the Legislature to the federal government. All memorials shall contain the resolving clause "Be It Resolved by the Legislature of the State of Florida:".

5.10 ~~5.9~~ House Resolutions; Concurrent Resolutions; Tributes

(a) All House resolutions and all concurrent resolutions originating in the House shall contain a title and a resolving clause. In the case of House resolutions, the resolving clause shall be "Be It Resolved by the House of Representatives of the State of Florida:". In the case of concurrent resolutions originating in the House, the resolving clause shall be "Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:". Concurrent resolutions originating in the House shall present only questions pertaining to extension of a session, enactment of joint rules, ratification of federal constitutional amendments, communications with the judiciary, actions taken pursuant to federal law not requiring gubernatorial approval, or other exclusively legislative matters.

(b) All ceremonial House resolutions shall be reviewed and approved by the Chair of the Rules & Calendar Committee ~~Council~~ before introduction.

(c) Copies of House resolutions shall be furnished by the Clerk. The Secretary of State shall be requested to prepare certified copies of concurrent resolutions after their adoption.

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(d) Any matter commemorating local achievement, condolences, or other recognition shall be prepared in accordance with standards approved by the Speaker ~~by the House Bill Drafting Service~~ as an individual tribute for the member sponsoring the measure.

5.11 ~~5.10~~ Bills Filed During an Interim

During the period between the organization session and the convening of the first regular session of the legislative biennium and during the period between the first and second regular sessions of the legislative biennium, members may file for introduction bills that have been prepared or reviewed by the House Bill Drafting Service.

5.12 ~~5.11~~ Requirements for Introduction

(a) All bills (other than an appropriations bill, concurrent resolutions relating to organization of the Legislature, resolutions relating to organization of the House, concurrent resolutions pertaining to extension of a session, reviser's bills, bills proposing any reapportionment bills or redistricting of the state's legislative or congressional districts ~~resolutions~~, and recall of acts from the Governor) shall either be prepared or, in the case of local bills, reviewed by the House Bill Drafting Service. After completion and delivery by the House Bill Drafting Service, no change may be made in the text or title of the bill without returning the bill to the House Bill Drafting Service prior to filing.

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(b) The ~~Director of the~~ House Bill Drafting Service shall notify any member proposing a bill of any ~~if an~~ identical or substantially similar bill that has been filed and, ~~if so,~~ the name of the sponsor of such bill.

5.13 ~~5.12~~ Identification

Each bill shall be given a number and filed with the Clerk by the House Bill Drafting Service. Bills shall be serially numbered in an odd-numbered sequence, except that bills of a similar type may be serially numbered separately. The Clerk shall validate the original copy of each bill, and each page thereof, to ensure its identification as the item introduced in order to prevent unauthorized or improper substitutions therefor.

5.14 ~~5.13~~ Companion Measures

A companion Senate bill must be substantially similar in wording, and identical as to specific intent and purpose, to the House bill for which it is being substituted. Whenever a House bill is reached on the floor for consideration, either on second or third reading, and there is also pending on the Calendar of the House a companion bill already passed by the Senate, it shall be in order to move that the Senate companion bill be substituted and considered in lieu of the House bill. Such motion may be adopted by a majority vote, provided the Senate bill is on the same reading; otherwise, the motion shall be to waive the rules by a two-thirds vote and substitute such Senate

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bill. At the moment the House substitutes the Senate companion bill or takes up a Senate bill in lieu of a House bill, the House bill so replaced shall be automatically tabled.

RULE SIX—REFERENCE

6.1—Speaker to Refer Legislation

The authority to make bill referrals rests with the Speaker, except as otherwise provided in these rules.

6.2—Reference: Generally

(a) Bills, upon filing or introduction, whether House or Senate, may be referred by the Speaker to one or more committees or subcommittees ~~councils~~ or any combination thereof or to the Calendar of the House. The order of reference shall be determined by the Speaker.

(b) References of bills and the nature of any documents referred shall be recorded in the *Journal*.

6.3—Reference: Exception

A Senate bill with a House companion may be paired with the companion House bill at whatever its stage of consideration, provided both bills are on the same reading.

6.4—Reference of Resolutions, Concurrent Resolutions: Exception
Resolutions on House organization and concurrent resolutions pertaining to extension of the session may be taken up upon

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motion and adopted at the time of introduction without
reference.

6.5-Appropriations or Tax Measures: Withdrawal from a Fiscal
Committee or Subcommittee ~~Council or Committee~~; Additional
Reference

(a) A bill in the possession of a fiscal committee or
subcommittee ~~council or committee~~ that has been amended by
report from a committee or subcommittee ~~council or committee~~ of
previous reference to remove its fiscal impact may be withdrawn
from the fiscal committee or subcommittee ~~council or committee~~
on a point of order raised by the committee ~~council~~ chair of the
fiscal committee ~~council~~ having possession of the bill or
jurisdiction over the subcommittee ~~committee~~ having possession
of the bill.

(b) If an amendment adopted on the floor of the House
affects an appropriation or a tax matter, upon a point of order
made by the chair or vice chair of a fiscal committee ~~council~~,
the bill may be referred by the Speaker, with the amendment, to
an appropriate committee or subcommittee ~~council or committee~~.
If the bill, as amended on the floor, is reported favorably
without further amendment, it shall be returned to the same
reading as when referred. If the bill, as amended on the floor,
is reported favorably with further amendment, it shall be
returned to second reading.

6.6-Reference of Veto Messages

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The Speaker may refer veto messages to the appropriate committee
or subcommittee ~~council or committee~~ for a recommendation.

RULE SEVEN—COMMITTEES AND SUBCOMMITTEES ~~COUNCILS AND COMMITTEES~~

PART ONE—Organization

7.1—Standing Committees and Subcommittees ~~Councils and~~
~~Committees~~

(a) The following standing committees ~~councils~~, and the
standing subcommittees ~~committees~~ within their respective
jurisdictions, are established:

(1) Appropriations Committee.

a. Agriculture & Natural Resources Appropriations
Subcommittee.

b. Government Operations Appropriations Subcommittee.

c. Health Care Appropriations Subcommittee.

d. Higher Education Appropriations Subcommittee.

e. Justice Appropriations Subcommittee.

f. PreK-12 Appropriations Subcommittee.

g. Transportation & Economic Development Appropriations
Subcommittee.

(2) Economic Affairs Committee.

a. Business & Consumer Affairs Subcommittee.

b. Community & Military Affairs Subcommittee.

c. Economic Development & Tourism Subcommittee.

d. Insurance & Banking Subcommittee.

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645	<u>e. Transportation & Highway Safety Subcommittee.</u>
646	<u>(3) Education Committee.</u>
647	<u>a. K-20 Competitiveness Subcommittee.</u>
648	<u>b. K-20 Innovation Subcommittee.</u>
649	<u>(4) Finance & Tax Committee.</u>
650	<u>(5) Health & Human Services Committee.</u>
651	<u>a. Health & Human Services Access Subcommittee.</u>
652	<u>b. Health & Human Services Quality Subcommittee.</u>
653	<u>(6) Judiciary Committee.</u>
654	<u>a. Civil Justice Subcommittee.</u>
655	<u>b. Criminal Justice Subcommittee.</u>
656	<u>(7) Redistricting Committee.</u>
657	<u>a. Congressional Redistricting Subcommittee.</u>
658	<u>b. House Redistricting Subcommittee.</u>
659	<u>c. Senate Redistricting Subcommittee.</u>
660	<u>(8) Rules & Calendar Committee.</u>
661	<u>a. Rulemaking & Regulation Subcommittee.</u>
662	<u>(9) State Affairs Committee.</u>
663	<u>a. Agriculture & Natural Resources Subcommittee.</u>
664	<u>b. Energy & Utilities Subcommittee.</u>
665	<u>c. Federal Affairs Subcommittee.</u>
666	<u>d. Government Operations Subcommittee.</u>
667	(1) Rules & Calendar Council
668	(2) Full Appropriations Council on Education & Economic
669	Development
670	a. PreK-12 Appropriations Committee

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671 ~~b. State Universities & Private Colleges Appropriations~~
672 ~~Committee~~

673 ~~e. State & Community Colleges & Workforce Appropriations~~
674 ~~Committee~~

675 ~~d. Transportation & Economic Development Appropriations~~
676 ~~Committee~~

677 ~~(3) Full Appropriations Council on General Government &~~
678 ~~Health Care~~

679 ~~a. Health Care Appropriations Committee~~

680 ~~b. Human Services Appropriations Committee~~

681 ~~e. Healthy Seniors Appropriations Committee~~

682 ~~d. Natural Resources Appropriations Committee~~

683 ~~e. Government Operations Appropriations Committee~~

684 ~~f. Criminal & Civil Justice Appropriations Committee~~

685 ~~(4) Policy Council~~

686 ~~(5) Government Accountability Act Council~~

687 ~~(6) Finance & Tax Council~~

688 ~~(7) Education Policy Council~~

689 ~~a. PreK-12 Policy Committee~~

690 ~~b. State Universities & Private Colleges Policy Committee~~

691 ~~e. State & Community Colleges & Workforce Policy Committee~~

692 ~~(8) Health & Family Services Policy Council~~

693 ~~a. Health Care Services Policy Committee~~

694 ~~b. Health Care Regulation Policy Committee~~

695 ~~e. Elder & Family Services Policy Committee~~

696 ~~(9) General Government Policy Council~~

697 ~~a. Agriculture & Natural Resources Policy Committee~~

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698 ~~b. Insurance, Business & Financial Affairs Policy~~
699 ~~Committee~~
700 ~~e. Energy & Utilities Policy Committee~~
701 ~~(10) Economic Development & Community Affairs Policy~~
702 ~~Council~~
703 ~~a. Economic Development Policy Committee~~
704 ~~b. Roads, Bridges & Ports Policy Committee~~
705 ~~e. Governmental Affairs Policy Committee~~
706 ~~d. Military & Local Affairs Policy Committee~~
707 ~~(11) Criminal & Civil Justice Policy Council~~
708 ~~a. Civil Justice & Courts Policy Committee~~
709 ~~b. Public Safety & Domestic Security Policy Committee~~
710 (b) For purposes of these rules, the term "committee"
711 includes ~~council~~ and subcommittee, except where the context
712 indicates otherwise.
713
714 ~~7.2 Office of Reapportionment~~
715 ~~There is hereby created the House Office of Reapportionment,~~
716 ~~which shall be headed by a member appointed by the Speaker.~~
717
718 ~~7.2 7.3 Committee and Subcommittee Council and Committee~~
719 ~~Appointments~~
720 The Speaker may ~~shall~~ appoint the chair, the vice chair, and any
721 co-chairs as he or she deems ~~deemed~~ necessary, as well as all
722 members, for each standing House committee and subcommittee
723 ~~council and committee~~. The Speaker may ~~shall~~ appoint the House
724 chair and all House members of each conference committee, joint

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committee, and joint select committee created by agreement of the House and Senate or of the Speaker and the Senate President. The Speaker shall give written notice of each such appointment, ~~in writing,~~ to the Clerk for publication. ~~The Minority Leader may make recommendations to the Speaker regarding the appointment of Minority Conference members to councils and committees.~~ After the Speaker has made committee and subcommittee appointments, the Minority Leader may ~~also~~ name a Minority Conference member of any committee or subcommittee ~~council or committee~~ as "ranking member" of that committee or subcommittee ~~council or committee~~, subject to the approval of the Speaker.

7.3 ~~7.4~~ Powers of the Chair

A committee or subcommittee ~~council or committee~~ chair has authority to sign all notices, vouchers, and reports required or permitted by these rules. The chair has authority, subject to approval by the Speaker, to sign all subpoenas issued under these rules. The chair has all authority necessary to ensure the orderly operation of the committee or subcommittee ~~council or committee~~, including, but not limited to, presiding over meetings, establishing each meeting agenda, determining the order in which matters are to be taken up, recognizing or not recognizing non-member presenters, and deciding questions of order. Decisions on questions of order may be appealed pursuant to Rule 2.3(b), but there shall be no appeal of the chair's recognition.

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752
753 7.4 ~~7.5~~-Absence of the Chair

754 In the absence of the chair and all co-chairs, the vice chair,
755 if any, shall assume the duty to convene and preside over
756 meetings and such other duties as the Speaker may assign, unless
757 a temporary chair has been appointed by the Speaker. During a
758 meeting properly convened, the presiding chair, vice chair, or
759 temporary chair may temporarily assign the duty to preside at
760 that meeting to another committee or subcommittee ~~council or~~
761 ~~committee~~ member until the assignment is relinquished or
762 revoked.

763
764 7.5 ~~7.6~~-Term of Appointment

765 All standing committee or subcommittee ~~council or committee~~
766 chairs, vice chairs, and members serve at the pleasure of the
767 Speaker. All standing committee and subcommittee ~~council and~~
768 ~~committee~~ appointments shall be made by the Speaker in
769 accordance with Rule 7.2 shall be made prior to the convening of
770 each regular session and shall expire on July ~~August~~ 1 of odd-
771 numbered years or, if the Legislature is convened in special or
772 extended session on that date, upon adjournment *sine die* of such
773 session.

774
775 7.6 ~~7.7~~-Creation of Select Committees

776 At any time, the Speaker may create a select committee and shall
777 appoint the membership and name the chair and vice chair. A
778 select committee may include the entire membership of the House.

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A select committee has the jurisdiction, authority, and powers and duties assigned to it by the Speaker and exists for the period of time specified by the Speaker. The Speaker shall give written notice of the creation of a select committee to the Clerk for publication.

7.7 ~~7.8~~ *Ex officio* Members

The Speaker may designate the Speaker pro tempore or the Majority Leader as an *ex officio*, voting member of any committee or subcommittee ~~council or committee~~. In addition, the Speaker may designate a committee ~~council~~ chair as an *ex officio*, voting member of any subcommittee ~~committee~~ within the committee's ~~council's~~ jurisdiction. The designation shall be made in writing and addressed to the chair of the committee or subcommittee ~~council or committee~~. Prior to the start of the committee or subcommittee ~~council or committee~~ meeting, a copy of the ~~written~~ designation shall be provided to the Minority Leader. Only one *ex officio* member may sit and vote at a time on any one committee or subcommittee ~~council or committee~~.

7.8 ~~7.9~~ Meetings of Committees and Subcommittees ~~Councils and Committees~~

Committees and subcommittees ~~Councils and committees~~ shall meet only within the dates, times, and locations designated or authorized by the Speaker. Committees and subcommittees ~~Councils and committees~~ shall meet at the call of the chair.

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7.9 ~~7.10~~ Consideration of Proposed Committee and Subcommittee
~~Council and Committee~~ Bills
 Before a standing committee or subcommittee ~~council or committee~~
 may consider a proposed committee or subcommittee ~~council or~~
~~committee~~ bill, the chair shall submit a written request to the
 Speaker for approval. A request for approval to consider a
 proposed subcommittee ~~committee~~ bill shall be cosigned by the
 chair of the committee ~~council~~ with jurisdiction over the
subcommittee ~~committee~~. In introducing a proposed committee or
subcommittee ~~council or committee~~ bill, the chair must designate
 a member of the committee or subcommittee ~~council or committee~~
 as first-named cosponsor, with the approval of such member.

7.10 ~~7.11~~ Conference Committees

(a) The Speaker shall determine the number of House
 managers needed for all conference committees. A conference
 committee report shall require the affirmative votes of a
 majority of the managers on the part of each house. Such reports
 may recommend action on amendments previously adopted by the
 House or Senate, recommend action on additional compromise
 amendments, or offer an amendment deleting everything after the
 enacting clause. New amendments recommended by the conference
 committee shall accompany the report.

(b) The receiving of conference committee reports shall
 always be in order, except when the House is voting on any
 proposition. When a conference committee report is presented to
 the House, the procedure shall be:

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(1) First to vote on a motion to accept the report in its entirety. The motion shall not be subject to amendment. If this vote fails, the report shall be automatically recommitted to the conference committee.

(2) If the report is accepted, the final vote shall be a roll call on the passage of the bill as amended by the report. The bill as amended by the report is not subject to further amendment.

(c) When House managers report inability of a conference committee to agree, no action of the House taken prior to such appointment shall preclude further action by the House as the House may determine.

PART TWO—Procedures in Committees and Subcommittees ~~Councils and Committees~~

7.11 ~~7.12~~—Scheduling Committee and Subcommittee ~~Council and Committee~~ Meetings

(a) NOTICE OF COMMITTEE AND SUBCOMMITTEE ~~Council and Committee~~ MEETINGS. Any committee or subcommittee ~~council or committee~~ meeting to be held for the purpose of considering legislation must be noticed. The committee or subcommittee ~~council or committee~~ administrative assistant shall provide electronic or paper copies of the notice to the Clerk for publication and to the House Majority Office, the House Minority Office, the members of the committee or subcommittee ~~council or committee~~, and the first-named sponsor of each bill noticed.

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(b) CONTENT OF MEETING NOTICE. The notice shall state the date, time, and place of the meeting and, for each bill to be considered, the bill or proposed bill number and a portion of the title sufficient for identification. Except ~~as provided below~~ with respect to ~~council or committee substitutes~~ and bills retained on reconsideration under Rule 7.16 ~~Rules 7.17~~ and committee or subcommittee substitutes under Rule 7.19 ~~7.20~~, only such bills as are included on the ~~written~~ notice of a committee or subcommittee ~~council or committee~~ meeting may be considered at that meeting.

(c) PROPOSED BILLS TO BE AVAILABLE. A copy of each proposed bill noticed for consideration must be available to each committee or subcommittee ~~council or committee~~ member no later than the time of providing notice of the meeting.

(d) NOTICE DEADLINE BETWEEN SESSIONS. During the period when the Legislature is not in session, before any committee or subcommittee ~~council or committee~~ holds a meeting for the purpose of considering legislation a notice of such meeting shall be provided no later than 4:30 p.m. of the 7th day before the meeting.

(e) NOTICE DEADLINES DURING SESSIONS. During the first 45 days of a regular session, notice shall be provided no later than 4:30 p.m. of the 2nd day (excluding Saturdays, Sundays, and official state holidays) before the committee or subcommittee ~~council or committee~~ meeting for the purpose of considering legislation. After the 45th day of a regular session and during any extended session, the notice shall be provided no later than

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4:30 p.m. on the day (including Saturdays, Sundays, and official state holidays) before the committee or subcommittee ~~council or committee~~ meeting. During any special session, the notice shall be provided no later than 2 hours before the committee or subcommittee ~~council or committee~~ meeting.

(f) NOTICE OF NOT MEETING. If a committee or subcommittee ~~council or committee~~ is authorized and scheduled for a meeting by the Speaker but does not plan to meet, a notice stating that no meeting will be held shall be provided in the time and manner of noticing a meeting.

(g) AMENDED NOTICE AND CANCELLATION. At any time prior to a noticed meeting, a bill or other item may be removed from a meeting notice or the meeting may be cancelled by providing an amended notice.

(h) CLERK DUTIES. The Clerk shall promptly publish the content of meeting notices in accordance with policies approved by the Speaker.

(i) CONTINUATION AFTER NOTICED TIME. If the majority of committee or subcommittee ~~council or committee~~ members present agree, a committee or subcommittee ~~council or committee~~ may continue the consideration of properly noticed legislation after the expiration of the time called for the meeting or may temporarily recess to continue the meeting at a time and place certain on the same day. However, a committee or subcommittee ~~council or committee~~ may not meet beyond the time authorized or in a place not authorized by the Speaker without special leave granted by the Speaker.

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(j) RULES & CALENDAR COMMITTEE ~~Council~~ EXEMPT FROM NOTICE DEADLINE. The Rules & Calendar Committee ~~Council~~ shall be exempt from the notice deadlines of this rule except when meeting to consider the substance of legislation.

7.12 ~~7.13~~ Amendment Deadlines in Committee and Subcommittee ~~Council and Committee~~

(a) Amendments may be offered in any committee or subcommittee ~~council or committee~~ by any member of the House, subject to the following deadlines:

(1) For the period when the Legislature is not in session, and during the first 45 days of a regular session, an amendment by a member who is not a member of the committee or subcommittee ~~council or committee~~ considering the bill shall be filed by 6 p.m. of the day (excluding Saturdays, Sundays, and official state holidays) prior to the committee or subcommittee ~~council or committee~~ meeting.

(2) After the 45th day of a regular session and during any extended session, an amendment by a member who is not a member of the committee or subcommittee ~~council or committee~~ considering the bill shall be filed by 6 p.m. of the day (including Saturdays, Sundays, and official state holidays) prior to the committee or subcommittee ~~council or committee~~ meeting.

(3) During any special session, an amendment by a member who is not a member of the committee or subcommittee ~~council or committee~~ considering the bill shall be filed no later than 1

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hour prior to the committee or subcommittee ~~council or committee~~ meeting.

(b) Notwithstanding the foregoing, subject to approval by a majority vote of the House, the Rules & Calendar Committee ~~Council~~ may establish special amendment deadlines and procedures for appropriations bills, implementing bills, and conforming bills, as defined in Rule 12.5, as well as for bills proposing any reapportionment or redistricting of the state's legislative or congressional districts.

7.13 ~~7.14~~ Quorum of Committee or Subcommittee ~~Council or Committee~~

A majority of any committee's or subcommittee's ~~council's or committee's~~ members shall constitute a quorum necessary for the transaction of business. An *ex officio* member shall not be counted for purposes of determining a quorum.

7.14 ~~7.15~~ Meeting during House Sessions

No committee or subcommittee ~~council or committee~~ shall meet while the House is in session without special leave of the Speaker.

7.15 ~~7.16~~ Voting in Committee or Subcommittee ~~Council or Committee~~

(a) Every vote on final consideration of a bill in committee or subcommittee ~~council or committee~~ shall be taken by the yeas and nays, and the names of the members voting for and

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against, as well as the names of members absent, shall be recorded on the committee or subcommittee ~~council or committee~~ report. Upon the request of any two members, the vote of each member shall be recorded on any other question and all such votes shall be reported with the committee or subcommittee ~~council or committee~~ report.

(b) An absent member ~~members~~ may submit an indication of how the member ~~they~~ would have voted had the member been present, but this shall not be counted on a roll call. If submitted after the committee or subcommittee report has been filed, such votes after roll call shall be filed with the committee or subcommittee administrative assistant, who shall file them in the committee or subcommittee files and with the Clerk attached to the ~~council or committee report.~~

7.16 ~~7.17~~ Reconsideration in Committee or Subcommittee ~~Council or Committee~~

A motion for reconsideration in committee or subcommittee ~~council or committee~~ shall be treated in the following manner:

(a) When a main question has been decided by a committee or subcommittee ~~council or committee~~, any member voting with the prevailing side, or any member when the vote was a tie, may move for reconsideration.

(b) Any member voting on the prevailing side on passage or defeat of a bill may, as a matter of right, serve notice that the bill ~~should~~ be retained through the next committee or subcommittee ~~council or committee~~ meeting for the purpose of

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reconsideration. Such notice by an individual member may be set aside by adoption of a motion to report the bill immediately, which shall require a two-thirds vote. No bill may be retained under this provision after the 40th day of a regular session or during any extended or special session.

(c) A motion to reconsider a collateral matter must be disposed of during the course of consideration of the main subject to which it is related.

(d) If a bill has been retained under subsection (b), any member may move for its reconsideration at the next meeting of the committee or subcommittee ~~council or committee~~. The retained bill is not required to be included on the committee or subcommittee meeting notice.

(e) If the committee or subcommittee ~~council or committee~~ refuses to reconsider or, upon reconsideration, confirms its prior decision, no further motion to reconsider shall be in order except upon unanimous consent of the committee or subcommittee ~~council or committee~~ members present.

(f) If a bill is not retained under subsection (b), it shall be promptly reported to the Clerk.

7.17 ~~7.18~~ Reports on Bills

A committee or subcommittee ~~council or committee~~ may report a House bill unfavorably, favorably, or favorably with a committee or subcommittee ~~council or committee~~ substitute. A committee or subcommittee ~~council or committee~~ may report a Senate bill favorably, favorably with one or more amendments, or

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unfavorably. A bill may not be reported without recommendation.
A motion to lay a bill on the table shall be construed as a
motion to report the bill unfavorably.

7.18 ~~7.19~~ Bill Reported Unfavorably by a Committee or Subcommittee ~~Council or Committee~~

A bill reported unfavorably by a committee or subcommittee
~~council or committee~~ shall be laid on the table.

7.19 ~~7.20~~ Committee and Subcommittee ~~Council and Committee~~
Substitutes

(a) A ~~council or~~ standing committee or subcommittee may
introduce a committee or subcommittee ~~council or committee~~
substitute embracing the same general subject matter of one or
more bills in possession of the committee or subcommittee
~~council or committee~~. If the original bill or bills are noticed,
no further notice is required. If a proposed committee or
subcommittee ~~council or committee~~ substitute is noticed in the
manner required for a proposed committee or subcommittee ~~council~~
~~or committee~~ bill, the original bill or bills need not be
noticed. Upon the reporting of a committee or subcommittee
~~council or committee~~ substitute, the original bill or bills
shall be laid on the table of the House.

(b) Committee and subcommittee substitutes shall be
prepared by the House Bill Drafting Service and filed with the
Clerk.

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1048 (c) No later than the day (excluding Saturdays, Sundays,
1049 and official state holidays) after it is filed ~~reported~~ by the
1050 committee or subcommittee ~~council or committee~~, a committee or
1051 subcommittee ~~council or committee~~ substitute shall be read a
1052 first time and be subject to referral by the Speaker.

1053
1054 7.20 ~~7.21~~ Subpoena Powers

1055 The standing committees and subcommittees ~~councils and~~
1056 ~~committees~~ of the House may exercise subpoena power and issue
1057 other necessary legal process pursuant to Rule 16 ~~16.1~~.

1058
1059 7.21 ~~7.22~~ Administration of Oaths

1060 Whenever desired by a committee or subcommittee ~~council or~~
1061 ~~committee~~, the chair or any other member of the committee or
1062 subcommittee ~~council or committee~~ may administer oaths and
1063 affirmations in the manner prescribed by law to any witness
1064 appearing before such committee or subcommittee ~~council or~~
1065 ~~committee~~ for the purpose of testifying in any matter about
1066 which such committee or subcommittee ~~council or committee~~ may
1067 require sworn testimony, provided the record of a statement made
1068 under oath in committee or subcommittee ~~council or committee~~ may
1069 not be used to controvert a factual determination of the
1070 Legislature.

1071
1072 7.22 ~~7.23~~ Procedure in Conference Committees

1073 Conference committee meeting notices shall be published not less
1074 than 1 hour ~~2 hours~~ prior to the time scheduled for the meeting.

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~~provided that after the 50th day of the regular session and~~
~~during any extended or special session the notice period shall~~
~~be 1 hour prior to the time scheduled for the meeting.~~ Each
conference committee may determine its own procedures and select
a member to preside, provided a majority of managers of each
house agree.

7.23 ~~7.24~~ Open Meetings; Decorum

(a) All meetings of committees and subcommittees ~~councils~~
~~and committees~~ shall be open to the public at all times, subject
always to the authority of the chair to maintain order and
decorum; however, when reasonably necessary for security
purposes or the protection of a witness, a chair, with the
concurrence of the Speaker and the Minority Leader, may close a
meeting or portion thereof, and the record of such meeting may
not disclose the identity of any witness appearing before the
committee or subcommittee ~~council or committee~~ during a closed
session.

(b) The chair shall exercise all authority necessary to
maintain order and decorum, including the authority to impose
time limitations on testimony and presentations by non-members
and to require all persons attending a committee or subcommittee
~~council or committee~~ meeting to silence all audible electronic
equipment.

PART THREE—Oversight Powers and Responsibilities

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7.24 ~~7.25~~ Oversight Powers and Responsibilities of Standing
Committees and Subcommittees ~~Councils and Committees~~

(a) Each standing committee or subcommittee ~~council or committee~~ is authorized to exercise all powers authorized for committees pursuant to s. 11.143, Florida Statutes, to carry out oversight responsibilities within its respective subject matter jurisdiction. For purposes of this rule, the Speaker shall determine the subject matter jurisdiction of each committee or subcommittee ~~council or committee~~.

(b) Select committees shall exercise committee powers authorized by s. 11.143, Florida Statutes, whenever specifically authorized in writing by the Speaker.

(c) Each committee or subcommittee ~~council or committee~~ shall exercise other oversight powers and responsibilities vested in the House whenever specifically authorized by the Speaker.

(d) Each committee or subcommittee ~~council or committee~~ shall conduct other business as directed by the Speaker.

RULE EIGHT—DEBATE AND CHAMBER PROTOCOL

PART ONE—Privilege of the Floor

8.1—Privilege of the Floor

(a) MEMBERS' ACCESS. Members of the House shall have the exclusive right to enter the Chamber during sessions, and no

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other person shall be admitted unless granted privilege of the floor as provided below.

(b) PRIVILEGED GUESTS. The Governor, the Lieutenant Governor, the Chief Financial Officer, the Attorney General, the Commissioner of Agriculture, members of the Senate, Justices of the Supreme Court, former members of the House, the Doctor of the Day, and the Guest Chaplain are granted the privilege of the floor; however, no registered lobbyist may be so admitted.

(c) EMPLOYEES' ADMISSION. House employees may be admitted to the Chamber as determined by the Speaker.

(d) OTHER GUESTS. Other guests may be granted the privilege of the floor by the Speaker or by the House.

(e) RESTRICTIONS ON NON-MEMBERS. Persons granted the privilege of the floor may not lobby the members while the House is in session, unless granted leave to address the House.

(f) SESSION ATTIRE. When the House is in session, all persons in the Chamber shall be dressed in proper business attire.

PART TWO—Speaking

8.2—Addressing the House; Requirements to Spread Remarks upon the *Journal*

(a) When a member desires to speak or deliver any matter to the House, the member shall rise and respectfully address the Speaker as "Mr. (or Madam) Speaker" and shall confine all remarks to the question under debate, avoiding personalities.

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1155 Once recognized, a member may speak from the member's desk or
 1156 may, with the Speaker's permission, speak from the well.

1157 (b) Any motion to spread remarks upon the *Journal*, except
 1158 those of the Governor or the Speaker, shall be referred to the
 1159 Chair of the Rules & Calendar Committee ~~Council~~ for
 1160 recommendation before being put to the House.

1161

1162 8.3—When Two Members Rise at Once

1163 When two or more members rise at once, the Speaker shall name
 1164 the one who is to speak first. This decision shall be final and
 1165 not open to debate or appeal.

1166

1167 8.4—Recognition of Members

1168 There shall be no appeal of the Speaker's recognition, but the
 1169 Speaker shall be governed by the rules and usage in priority of
 1170 entertaining motions from the floor. When a member seeks
 1171 recognition, the Speaker may ask, "For what purpose does the
 1172 member rise?" or "For what purpose does the member seek
 1173 recognition?"

1174

1175 8.5—Recognition of Gallery Visitors and Doctor of the Day

1176 On written request by a member, on a form approved ~~prescribed~~ by
 1177 the Clerk, the Speaker may recognize or permit the member to
 1178 recognize any person or persons in the gallery. After granting a
 1179 request for recognition, the Speaker shall afford that
 1180 recognition at a convenient place in the order of business,
 1181 considering the need for order and decorum and the need for

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continuity of debate. At an appropriate time during proceedings
on the floor, the Speaker may recognize a Doctor of the Day.

PART THREE—Debate

8.6—Decorum

The members shall attend to the debates unless necessarily
prevented, and no member shall stand between the Speaker and a
member recognized to speak.

8.7—Speaking and Debate; Right to Close

(a) A member may not speak more than once nor occupy more
than 15 minutes in debate on any question.

(b) A member who has the floor may not be interrupted by
another member for any purpose, save the privilege of the House,
unless he or she consents to yield to the other member. A member
desiring to interrupt another in debate should first address the
Speaker for the permission of the member speaking. The Speaker
shall then ask the member who has the floor if he or she wishes
to yield and shall then announce the decision of that member.
Whether to yield shall be entirely within the speaking member's
discretion. This subsection shall not, however, deprive the
first-named sponsor or mover of the right to close when the
effect of an amendment or motion would be to foreclose favorable
action on the bill, amendment, or motion.

8.8—Asking Questions of Members

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1209 It is entirely within a speaking member's discretion whether to
1210 yield to a question. The proper purpose of a question is to
1211 obtain information in good faith, not for the questioner to
1212 supply information to the body. Neither a question nor an answer
1213 to a question may contain arguments or debate.

1214

1215 8.9—Right to Open and Close Debate

1216 The member presenting a motion shall have the right to open and
1217 close the debate and, for this purpose, may speak each time up
1218 to 10 minutes, unless otherwise limited by majority vote of the
1219 House, notwithstanding the limitation in Rule 8.7.

1220

1221 PART FOUR—Materials and Meals in Chamber

1222

1223 8.10—Distribution of Materials in Chamber; Meals in Chamber

1224 (a) The following constitutes policy regarding material
1225 distributed to the general membership through the Sergeant at
1226 Arms' Office and pages:

1227 (1) All material prior to such distribution must be
1228 approved by the Chair of the Rules & Calendar Committee ~~Council~~.

1229 (2) The following official materials are approved: House
1230 and Senate bills, resolutions, memorials, and amendments
1231 thereto, and official calendars and journals; committee and
1232 subcommittee ~~council and committee~~ meeting notices;
1233 communications from the Speaker and Clerk and official
1234 communications from the Senate; and official staff reports of

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standing or select committees or subcommittees ~~councils or~~
~~committees~~ or of the majority or minority party.

(b) While members may consume nonalcoholic beverages on
the floor, meals will not be allowed on the floor without
concurrence of a majority vote.

PART FIVE—Miscellaneous Papers

8.11—Miscellaneous Papers

Papers of a miscellaneous nature addressed to the House may, at
the discretion of the Speaker, be read, noted in the *Journal*, or
filed with the appropriate committee or subcommittee ~~council or~~
~~committee~~. When the reading of a paper other than one upon which
the House is called to give a final vote is demanded and such
reading is objected to by any member, whether the paper shall be
read shall be determined without debate by the House by a
majority vote.

RULE NINE—VOTING

9.1—Members Shall Vote

Every member shall be within the Chamber during its sittings,
unless excused or necessarily prevented, and shall vote on each
question put, unless required to abstain under Rule 3.2.

9.2—Taking the Yeas and Nays

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1261 The Speaker shall declare all votes, but if any member rises to
1262 doubt a vote, upon a showing of hands by five members, the
1263 Speaker shall take the sense of the House by oral or electronic
1264 roll call. When taking the yeas and nays on any question, the
1265 electronic roll-call system may be used and when so used shall
1266 have the force and effect of a roll call taken as provided in
1267 these rules. This system likewise may be used to determine the
1268 presence of a quorum. When the House is ready to vote upon a
1269 question requiring roll call, and the vote is by electronic roll
1270 call, the Speaker shall say, "The question now recurs on
1271 (designating the matter to be voted upon). The Clerk will unlock
1272 the machine and the House will proceed to vote." When sufficient
1273 time has elapsed for each member to vote, the Speaker shall ask,
1274 "Have all members voted?" After a short pause, the Speaker shall
1275 say, "The Clerk will lock the machine and record the vote." When
1276 the vote is completely recorded, the Speaker shall announce the
1277 result to the House, and the Clerk shall record the action upon
1278 the *Journal*.

1279
1280 9.3-Vote of the Speaker or Temporary Presiding Officer
1281 The Speaker or temporary presiding officer is not required to
1282 vote in legislative proceedings other than on final passage of a
1283 bill, except when the Speaker's or temporary presiding officer's
1284 vote would be decisive. In all yea and nay votes, the Speaker's
1285 or temporary presiding officer's name shall be called last. With
1286 respect to voting, the Speaker or temporary presiding officer is

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subject to the same disqualification and disclosure requirements as any other member.

9.4-Votes After Roll Call; Finality of a Roll Call Vote

(a) After the result of a roll call has been announced, a member may submit to the Clerk an indication of how the member would have voted or would have voted differently. The Clerk shall provide forms for the recording of these actions. When timely submitted ~~made~~, the vote after roll call ~~these requests~~ shall be shown beneath the roll call in the *Journal*. Otherwise, the vote after roll call ~~request~~ shall be shown separately in the *Journal*.

(b) In no instance, other than by reason of an electronic or mechanical malfunction, shall the result of a voting machine roll call on any question be changed.

9.5-No Member to Vote for Another except by Request and Direction

(a) No member may vote for another member except at the other member's specific request and direction. No member may vote for another member who is absent from the Chamber, nor may any person who is not a member cast a vote for a member.

(b) In no case shall a member vote for another on a quorum call.

(c) Any member who votes or attempts to vote for another member in violation of this rule or who requests another member

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to vote for the requesting member in violation of this rule may be disciplined in such a manner as the House may deem proper.

(d) Any person who is not a member and who votes in the place of a member shall be subject to such discipline as the House may deem proper.

9.6-Explanation of Vote

A member may not explain his or her vote during a roll call, but may reduce his or her explanation to writing, in not more than 200 words in an electronic format approved by the Clerk. Upon submission to being filed with the Clerk, this explanation shall be spread upon the *Journal*.

RULE TEN-ORDER OF BUSINESS AND CALENDARS

PART ONE-Order of Business

10.1-Daily Sessions

The House shall meet each legislative day at 9 a.m. or as stated in the motion adjourning the House on the prior legislative day on which the House met.

10.2-Daily Order of Business

(a) When the House convenes on a new legislative day, the daily order of business shall be as follows:

(1) Call to Order.

(2) Prayer.

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1340 (3) Roll Call.

1341 (4) Pledge of Allegiance.

1342 (5) Correction of the *Journal*.

1343 (6) Communications.

1344 (7) Messages from the Senate.

1345 (8) Reports of Standing Committees and Subcommittees

1346 ~~Councils and Committees.~~

1347 (9) Reports of Select Committees.

1348 (10) Motions Relating to Committee and Subcommittee

1349 ~~Councils and Committees~~ References.

1350 (11) Matters on Reconsideration.

1351 (12) Bills and Joint Resolutions on Third Reading.

1352 (13) Special Orders.

1353 (14) House Resolutions.

1354 (15) Unfinished Business.

1355 (16) Introduction and Reference.

1356 (b) During special sessions, the order of business of

1357 Introduction and Reference shall be called for immediately

1358 following the order of business of Correction of the *Journal*.

1359 (c) Within each order of business, matters shall be

1360 considered in the order in which they appear on the daily

1361 printed Calendar of the House.

1362 (d) After the 45th day of a regular session, by a majority

1363 vote, the House may, on motion of the Chair or Vice Chair of the

1364 Rules & Calendar Committee ~~Council~~, move to Communications,

1365 Messages from the Senate, Bills and Joint Resolutions on Third

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1366 Reading, or Special Orders. The motion may provide which matter
1367 on such order of business may be considered.

1368
1369 10.3—Chaplain to Offer Prayer

1370 A chaplain shall attend at the beginning of each day's sitting
1371 of the House and open the same with prayer. In the absence of a
1372 chaplain, the Speaker may designate someone else to offer
1373 prayer.

1374
1375 10.4—Quorum

1376 A majority of the membership of the House shall constitute a
1377 quorum to conduct business.

1378
1379 10.5—Consideration of Senate Messages: Generally
1380 Senate messages may be considered by the House at the time and
1381 in the order determined by the Speaker.

1382
1383 PART TWO—Readings

1384
1385 10.6—"Reading" Defined

1386 "Reading" means the stage of consideration of a bill,
1387 resolution, or memorial after reading of a portion of the title
1388 sufficient for identification, as determined by the Speaker.

1389
1390 10.7—Reading of Bills and Joint Resolutions

1391 Each bill and each joint resolution shall be read on 3 separate
1392 days prior to a vote upon final passage unless this rule is

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waived by a two-thirds vote, provided the publication of a bill or joint resolution by its title in the *Journal* shall satisfy the requirements of first reading.

10.8—Reading of Concurrent Resolutions and Memorials

Concurrent resolutions and memorials shall be read on 2 separate days prior to a voice vote upon adoption, except that concurrent resolutions extending a legislative session or involving other procedural legislative matters may be read twice without motion on the same legislative day.

10.9—Reading of House Resolutions

(a) A House resolution shall receive two readings by title only prior to a voice vote upon adoption.

(b) Ceremonial resolutions may be shown as read and adopted by publication in full in the *Journal* in accordance with Rule 10.17 ~~10.16~~.

10.10—Measures on Third Reading

(a) Bills on third reading shall be taken up in the order in which the House concluded action on them on second reading.

(b) Before any bill shall be read the third time, whether amended or not, it shall be referred without motion to the Engrossing Clerk for examination and, if amended, the engrossing of amendments. In the case of any Senate bill amended in the House, the amendment adopted shall be reproduced and attached to

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the bill amended in such manner that it will not be lost therefrom.

(c) A bill shall be deemed on its third reading when it has been read a second time on a previous day and has no motion left pending.

PART THREE—Calendars

10.11—Special Order Calendar

(a) REGULAR SESSION.

(1) The Rules & Calendar Committee ~~Council~~ shall periodically submit, as needed, a Special Order Calendar determining the sequence for consideration of legislation. The Special Order Calendar may include bills on second reading, bills on unfinished business, resolutions, and specific sections for local bills, trust fund bills, and bills to be taken up at a time certain. Upon adoption of a Special Order Calendar, no other bills shall be considered for the time period set forth for that Special Order Calendar, except that any bill appearing on that Special Order Calendar may be stricken from it by a majority vote or any bill may be added to it pursuant to Rule 10.13 ~~10.12~~. A previously adopted Special Order Calendar shall expire upon adoption by the House of a new Special Order Calendar.

(2) Any committee ~~council~~, subcommittee ~~committee~~, or member may apply in writing to the Chair of the Rules & Calendar Committee ~~Council~~ to place a bill on the Special Order Calendar.

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The Rules & Calendar Committee ~~Council~~ may grant such requests by a majority vote.

(3) During the first 55 days of a regular session, the Special Order Calendar shall be published in two Calendars of the House, and it may be taken up on the day of the second published Calendar. After the 55th day of a regular session, the Special Order Calendar shall be published in one Calendar of the House and may be taken up on the day the Calendar is published.

(b) EXTENDED OR SPECIAL SESSION.

(1) If the Legislature extends a legislative session, all bills on the Calendar of the House at the time of expiration of the regular session shall be placed in the Rules & Calendar Committee ~~Council~~.

(2) During any extended or special session, all bills upon being reported favorably by the last committee or subcommittee ~~council~~ of reference shall be placed in the Rules & Calendar Committee ~~Council~~.

(3) During any extended or special session, the Rules & Calendar Committee ~~Council~~ shall establish a Special Order Calendar and only those bills on such Special Order Calendar shall be placed on the Calendar of the House.

(4) During any extended or special session, the Special Order Calendar shall be published in one Calendar of the House and bills thereon may be taken up on the day the Calendar is published.

10.12 ~~-(e)-~~ Special Floor Procedures-

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1473 The Rules & Calendar Committee ~~Council~~ may recommend special
 1474 floor procedures for the management of amendments and debate on
 1475 a particular bill, on second and third readings, which
 1476 procedures may include limitations on amendments and debate.
 1477 Such procedures may not be implemented unless approved by a
 1478 majority ~~two-thirds~~ vote in session.
 1479
 1480 10.13 ~~10.12~~ Consideration of Bills Not on Special Order Calendar
 1481 A bill not included on the Special Order Calendar may be
 1482 considered by the House upon a ~~two-thirds~~ vote.
 1483
 1484 10.14 ~~10.13~~ Consent Calendar
 1485 The Rules & Calendar Committee ~~Council~~ may submit Consent
 1486 Calendar procedures to expedite the consideration of
 1487 noncontroversial legislation.
 1488
 1489 10.15 ~~10.14~~ Requirements for Placement on Special Order Calendar
 1490 No measure may be placed on a Special Order Calendar until it
 1491 has been reported favorably by each committee and subcommittee
 1492 ~~council and committee~~ of reference and is available for
 1493 consideration on the floor.
 1494
 1495 10.16 ~~10.15~~ Informal Deferral of Bills
 1496 Whenever the member who introduced a bill or the first-named
 1497 member sponsor of a committee and subcommittee ~~council and~~
 1498 ~~committee~~ bill is absent from the Chamber when the bill has been
 1499 reached in the regular order on second or third reading,

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consideration shall be informally deferred until such member's return, unless another member consents to offer the bill on behalf of the original member. The bill shall retain its position on the Calendar of the House during the same legislative day. The member shall have the responsibility of making the motion for its subsequent consideration.

PART FOUR—Ceremonial Resolutions

10.17 ~~10.16~~ Ceremonial Resolutions Published in *Journal*
Upon approval of the Chair of the Rules & Calendar Committee ~~Council~~, a ceremonial resolution may be shown as read and adopted by publication in full in the *Journal*. The Rules & Calendar Committee ~~Council~~ shall distribute a list of such resolutions 1 day (excluding Saturdays, Sundays, and official state holidays) prior to the day of their publication, during which time any member may file ~~an objection~~ with the Rules & Calendar Committee ~~Council~~ an objection to any resolution listed. Each resolution for which an objection has been filed shall be removed from the list and placed on the Calendar of the House. All resolutions without objections shall be printed on the next legislative day in the *Journal* and considered adopted by the House.

PART FIVE—Procedural Limitations in Final Week

10.18 ~~10.17~~ Consideration Limits to Bills after Day 55

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1527 After the 55th day of a regular session, no House bills on
1528 second reading may be taken up and considered by the House.
1529

1530 10.19 ~~10.18~~ Consideration Limits after Day 58

1531 After the 58th day of a regular session, the House may consider
1532 only:

- 1533 (a) Returning ~~Senate~~ messages.
- 1534 (b) Conference reports.
- 1535 (c) Concurrent resolutions.
- 1536

1537 RULE ELEVEN—MOTIONS
1538

1539 11.1—Motions; How Made

1540 Every motion shall be made orally, except when requested by the
1541 Speaker to be reduced to writing.
1542

1543 11.2—Precedence of Motions During Debate

1544 (a) When a question is under debate, the Speaker shall
1545 receive no motion except:

- 1546 (1) To adjourn at a time certain.
- 1547 (2) To adjourn.
- 1548 (3) To recess to a time certain.
- 1549 (4) To lay on the table.
- 1550 (5) To reconsider.
- 1551 (6) For the previous question.
- 1552 (7) To limit debate.
- 1553 (8) To temporarily postpone.

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1554 (9) To postpone to a time or day certain.
1555 (10) To refer to or to recommit to committee or
1556 subcommittee ~~council or committee~~.
1557 (11) To amend.
1558 (12) To amend by removing the enacting or resolving
1559 clause.
1560 (b) Such motions shall have precedence in the descending
1561 order given.
1562
1563 11.3—Questions of Order Decided without Debate
1564 The Speaker shall decide, without debate, all procedural
1565 questions of order that arise when a motion is before the House
1566 or on appeal.
1567
1568 11.4—Division of Question
1569 If a question before the House is susceptible of separation into
1570 two or more parts, any member may call for a division of the
1571 question so that each part may be voted on separately. However,
1572 a motion to remove and insert cannot be divided.
1573
1574 11.5—Motion to Recess to a Time Certain
1575 A motion to recess to a time certain shall be treated the same
1576 as a motion to adjourn, except that the motion is debatable when
1577 no business is before the House and can be amended as to the
1578 time to recess and duration of the recess. It yields only to a
1579 motion to adjourn.
1580

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11.6-Motion to Lay on the Table

(a) A motion to lay on the table is not debatable and cannot be amended; however, before the motion is put to a vote, the first-named sponsor of a bill or the mover of a debatable motion shall be allowed 5 minutes within which to discuss the same and may divide the time with, or waive this right in favor of, some other member. ~~A motion to table a main question requires a majority vote.~~

(b) A motion to lay an amendment on the table, if adopted, does not carry with it the measure to which it adheres. ~~A motion to lay an amendment on the table may be adopted by a majority vote.~~

11.7-Motion to Reconsider; Immediate Certification of Bills

(a) When a motion or main question has been made and carried or lost, it shall be in order at any time as a matter of right on the same or succeeding legislative day for a member voting with the prevailing side, or for any member in the case of a voice or tie vote, to move for reconsideration thereof.

(b) When a majority of members vote in the affirmative but the proposition is lost because it is one in which the concurrence of a greater number than a majority is necessary for adoption or passage, any member may move for a reconsideration.

(c) The motion to reconsider shall require a majority vote for adoption, ~~and such motion shall not be renewed on any proposition after once being considered by vote of the House, except by unanimous consent.~~

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1608 (d) If the House refuses to reconsider or upon
1609 reconsideration confirms its prior decision, no further motion
1610 to reconsider shall be in order except upon unanimous consent of
1611 the members present.

1612 (e)~~(d)~~ Debate shall be allowed on a motion to reconsider
1613 only when the question that it is proposing to reconsider is
1614 debatable. When debate upon a motion to reconsider is in order,
1615 no member shall speak thereon more than once or for more than 5
1616 minutes.

1617 (f)~~(e)~~ The adoption of a motion to reconsider a vote upon
1618 any secondary matter shall not remove the main subject under
1619 consideration from consideration of the House.

1620 (g)~~(f)~~ A motion to reconsider a collateral matter must be
1621 disposed of at once during the course of the consideration of
1622 the main subject to which it is related, and such motion shall
1623 be out of order after the House has passed to other business.

1624 (h)~~(g)~~ No bill referred or recommitted to a committee or
1625 subcommittee ~~council or committee~~ by a vote of the House shall
1626 be brought back into the House on a motion to reconsider.

1627 (i)~~(h)~~ The Clerk shall retain possession of all bills and
1628 joint resolutions for the period after passage during which
1629 reconsideration may be moved, except that local bills,
1630 concurrent resolutions, and memorials shall be transmitted to
1631 the Senate without delay.

1632 (j)~~(i)~~ The adoption of a motion to waive the rules and
1633 immediately certify any bill to the Senate shall be construed as

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releasing the measure from the Clerk's possession for the period of reconsideration.

(k)~~(j)~~ Unless otherwise directed by the Speaker, during the last 14 days of a regular session or any extension thereof and during any special session, all measures acted on by the House shall be transmitted to the Senate without delay.

11.8—Motion for the Previous Question

(a) The previous question may be asked and ordered upon any debatable single motion, series of motions, or amendment pending and the effect thereof shall be to conclude all action on the same day. If third reading is reached on another day, the order for the previous question must be renewed on that day.

(b) The motion for the previous question shall be decided without debate. If the motion prevails, the sponsor of a bill or debatable motion and an opponent shall be allowed 3 minutes each within which to debate the pending question, and each may divide the time with, or waive this right in favor of, some other member. On second reading, the final available question is the main amendment; on third reading, it is the bill.

(c) When the motion for the previous question is adopted on a main question, the sense of the House shall be taken without delay on pending amendments and such question in the regular order.

(d) The motion for the previous question may not be made by the first-named sponsor or mover.

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1661 11.9—Motion to Limit Debate
 1662 When there is debate by the House, it shall be in order for a
 1663 member to move to limit debate and such motion shall be decided
 1664 without debate, except that the first-named sponsor or mover of
 1665 the question under debate shall have 5 minutes within which to
 1666 discuss the motion and may divide the allotted time with, or
 1667 waive it in favor of, some other member. If, by majority vote,
 1668 the question is decided in the affirmative, debate shall be
 1669 limited to 10 minutes for each side, unless a greater time is
 1670 stated in the motion, such time to be apportioned by the
 1671 Speaker; however, the first-named sponsor or mover shall have an
 1672 additional 5 minutes within which to close the debate and may
 1673 divide the allotted time with, or waive it in favor of, some
 1674 other member.
 1675
 1676 11.10—Motion to Temporarily Postpone
 1677 (a) The motion to temporarily postpone shall be decided
 1678 without debate and shall cause a measure to be set aside but
 1679 retained on the desk.
 1680 (b) If a main question has been temporarily postponed
 1681 after having been debated or after motions have been applied and
 1682 is not brought back before the House on the same legislative
 1683 day, it shall be placed under the order of unfinished business
 1684 on the Calendar of the House. If a main question is temporarily
 1685 postponed before debate has commenced or motions have been
 1686 applied, its reading shall be considered a nullity and the bill
 1687 shall retain its original position on the order of business on

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the same legislative day; otherwise, the bill reverts to the status of bills on second or third reading, as applicable.

(c) The motion to return to consideration of a temporarily postponed main question shall be made under the proper order of business when no other matter is pending.

(d) If applied to a collateral matter, the motion to temporarily postpone shall not cause the main question to be carried with it. After having been temporarily postponed, if a collateral matter is not brought back before the House in the course of consideration of the adhering or main question, it shall be deemed abandoned.

11.11-Motion to Withdraw or Refer a Bill

(a) A motion to withdraw a bill from a committee or subcommittee ~~council or committee~~ shall require a two-thirds vote on the floor.

(b) Any member may, no later than under the order of business of Motions Relating to Committee and Subcommittee ~~Council and Committee~~ References on the legislative day following reference of a bill, move for reference from one committee or subcommittee ~~council or committee~~ to a different committee or subcommittee ~~council or committee~~, which shall be decided by a majority vote.

(c) A motion to refer a bill from one committee or subcommittee ~~council or committee~~ to another committee or subcommittee ~~council or committee~~, other than as provided in

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subsection (b), may be made during the regular order of business and shall require a two-thirds vote.

(d) A motion to refer a bill to an additional committee or subcommittee ~~council or committee~~ may be made during the regular order of business and shall require a two-thirds vote.

(e) A motion to refer shall be debated only as to the propriety of the reference.

(f) A motion to withdraw a bill from further consideration of the House shall require a two-thirds vote.

(1) The Chair or Vice Chair of the Rules & Calendar Committee ~~Council~~, at the request of the first-named member sponsor, may move for the withdrawal of a bill from further consideration.

(2) The first-named member sponsor of a bill may, prior to its introduction and provided no substantive action has been taken on it, withdraw the bill by written notice ~~letter~~ to the Clerk.

(3) In moving for the withdrawal of a bill from further consideration by floor motion, the introducer shall be required to identify the nature of the bill.

11.12-Motion to Refer or Recommit

(a) Any bill on the Calendar of the House may be referred or recommitted by the House to a committee or subcommittee ~~council or committee~~ by a majority vote.

(b) A motion to refer or recommit a bill that is before the House may be made during the regular order of business. The

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motion shall be debatable only as to the propriety of that reference and shall require an affirmative majority vote.

(c) If a bill on third reading is referred or recommitted to a committee or subcommittee ~~council or committee~~ that subsequently reports the bill favorably with a committee or subcommittee ~~council or committee~~ substitute or with one or more amendments, the bill shall return to second reading.

(d) Referral or recommitment of a House bill shall automatically carry with it a Senate companion bill then on the Calendar of the House.

11.13-Dilatory Motions

Dilatory or delaying motions shall not be in order as determined by the Speaker.

11.14-Withdrawal of Motion

The mover of a motion may withdraw the motion at any time before it has been amended or a vote on it has commenced.

RULE TWELVE-AMENDMENTS

12.1-Form

Floor amendments ~~and council and committee substitutes~~ shall be prepared by the House Bill Drafting Service and filed with the Clerk.

12.2-Filing Deadlines for Floor Amendments

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1768 (a) During the first 55 days of a regular session:
1769 (1) Main floor amendments must be approved for filing with
1770 the Clerk by 2 p.m. of the first day a bill appears on the
1771 Special Order Calendar in the Calendar of the House; and
1772 (2) Amendments to main floor amendments and substitute
1773 amendments for main floor amendments must be approved for filing
1774 by 5 p.m. of the same day.
1775 (b) After the 55th day of a regular session and during any
1776 extended or special session:
1777 (1) Main floor amendments must be approved for filing with
1778 the Clerk not later than 2 hours before session is scheduled to
1779 convene on the day a bill appears on the Special Order Calendar
1780 in the Calendar of the House; and
1781 (2) Amendments to main floor amendments and substitute
1782 amendments for main floor amendments must be approved for filing
1783 not later than 1 hour after the main floor amendment deadline.
1784 (c) A late-filed floor amendment may be taken up for
1785 consideration only upon motion adopted by a two-thirds vote.
1786 (d) Notwithstanding the foregoing, subject to approval by
1787 a majority vote of the House, the Rules & Calendar Committee
1788 ~~Council~~ may establish special amendment deadlines and procedures
1789 for appropriations bills, implementing bills, ~~and~~ conforming
1790 bills, and bills proposing any reapportionment or redistricting
1791 of the state's legislative or congressional districts.
1792
1793 12.3—Presentation and Consideration

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(a) Amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption, except that the chair of the committee or subcommittee ~~council or committee~~ (or any member thereof designated by the chair) reporting the measure under consideration shall have preference for the presentation of committee or subcommittee ~~council or committee~~ amendments to Senate bills.

(b) An amendment to a pending main amendment may be received, but until it is disposed of no other motion to amend will be in order except a substitute amendment or an amendment to the substitute. Such amendments are to be disposed of in the following order:

(1) Amendments to the amendment are voted on before the substitute is taken up. Only one amendment to the amendment is in order at a time.

(2) Amendments to the substitute are next voted on.

(3) The substitute then is voted on. The adoption of a substitute amendment in lieu of an original amendment shall be treated and considered as an amendment to the bill itself.

[INSERT GRAPHIC ON AMENDMENT LEVELS]

(c) The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order.

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(d) For the purpose of this rule, an amendment shall be deemed pending only after its proposer has been recognized by the Speaker and has moved its adoption.

(e) Reviser's bills may be amended only by making deletions.

12.4—Second and Third Reading; Vote Required on Third Reading

(a) A motion to amend is in order during the second or third reading of any bill.

(b) Amendments proposed on third reading shall require a two-thirds vote for adoption, except that technical amendments introduced in the name of the Rules & Calendar Committee ~~Council~~ shall require a majority vote for adoption. Amendments on third reading, other than technical amendments introduced in the name of the Rules & Calendar Committee ~~Council~~, must be approved for filing not later than the earlier of the following deadlines:

(1) Nine a.m. on the day session is scheduled to convene on the day the bill is reached on third reading; or

(2) One ½ hour before session is scheduled to convene on the day the bill is reached on third reading.

(c) A motion for reconsideration of an amendment on third reading requires a two-thirds vote for adoption.

12.5—Amendment of Appropriations Bills, Implementing Bills, and Conforming Bills

(a) For purposes of these rules:

(1) An "appropriations bill" is a general appropriations

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1847 bill or ~~and~~ any other bill the title text of which begins "An
1848 act making appropriations," "An act making special
1849 appropriations," or "An act making supplemental appropriations."

1850 (2) An "implementing bill" is a bill, effective for one
1851 fiscal year, implementing an appropriations bill.

1852 (3) A "conforming bill" is a bill designated as such by
1853 the Speaker that amends the Florida Statutes to conform to an
1854 appropriations bill.

1855 (b) Whether on the floor or in any committee or
1856 subcommittee ~~council or committee~~, whenever an amendment is
1857 offered to an appropriations bill that would either increase any
1858 state appropriation or decrease any state revenue for any fund,
1859 such amendment shall show the amount of the appropriation
1860 increase or revenue decrease for a fund by line item and by
1861 section and shall decrease an appropriation from within the same
1862 appropriations allocation and sub-allocation (as determined by
1863 the Speaker) or increase a revenue to the fund in an amount
1864 equivalent to or greater than the corresponding appropriation
1865 increase or revenue decrease required by the amendment.

1866 (c) Whether on the floor or in any committee or
1867 subcommittee ~~council or committee~~, an amendment offered to an
1868 implementing bill or to a conforming bill shall not increase a
1869 state appropriation to a level that is in excess of the
1870 allocations or sub-allocations determined by the Speaker for a
1871 fund.

1872 (d) Whether on the floor or in any committee or
1873 subcommittee ~~council or committee~~, any amendment offered to an

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1874 implementing bill or to a conforming bill that reduces revenues
1875 supporting appropriations must raise the equivalent or greater
1876 revenue for the same fund from other sources.

1877
1878 12.6—Consideration of Senate Amendments

1879 (a) After the reading of a Senate amendment to a House
1880 bill, the following motions shall be in order and shall be
1881 privileged in the order named:

1882 (1) Amend the Senate amendment.

1883 (2) Concur in the Senate amendment.

1884 (3) Refuse to concur and ask the Senate to recede.

1885 (4) Request the Senate to recede and, if the Senate
1886 refuses to recede, to appoint a conference committee to meet
1887 with a like committee appointed by the Speaker.

1888 (b) If the Senate refuses to concur in a House amendment
1889 to a Senate bill, the following motions shall be in order and
1890 shall be privileged in the order named:

1891 (1) That the House recede.

1892 (2) That the House insist and ask for a conference
1893 committee.

1894 (3) That the House insist.

1895 (c) The Speaker may, upon determining that a Senate
1896 amendment substantially changes the bill as passed by the House,
1897 refer the Senate message, with the bill and Senate amendment or
1898 amendments, to the appropriate House committee or subcommittee
1899 ~~council or committee~~ for review and report to the House. The
1900 Speaker, upon such reference, shall announce the date and time

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1901 for the committee or subcommittee ~~council or committee~~ to meet.
 1902 The committee or subcommittee ~~council or committee~~ shall report
 1903 to the House the recommendation for disposition of the Senate
 1904 amendment or amendments under one of the four options presented
 1905 in subsection (a). The report shall be furnished to the Clerk
 1906 and to the House, in writing, by the chair of the reporting
 1907 committee or subcommittee ~~council or committee~~.
 1908
 1909 12.7—Motion to Amend by Removing Enacting or Resolving Clause
 1910 An amendment to remove the enacting clause of a bill or the
 1911 resolving clause of a resolution or memorial shall, if carried,
 1912 be considered equivalent to rejection of the bill, resolution,
 1913 or memorial by the House.
 1914
 1915 12.8—Germanity of House Amendments
 1916 (a) GERMANITY.
 1917 (1) Neither the House nor any committee or subcommittee
 1918 ~~council or committee~~ shall consider an amendment that relates to
 1919 a different subject or is intended to accomplish a different
 1920 purpose than that of the pending question or that, if adopted,
 1921 would require a title amendment for the bill that is
 1922 substantially different from the bill's original title or that
 1923 would unreasonably alter the nature of the bill.
 1924 (2) The Speaker, or the chair in the case of an amendment
 1925 offered in committee or subcommittee ~~council or committee~~, shall
 1926 determine the germanity of any amendment when the question is
 1927 timely raised.

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1928 (3) An amendment of the second degree or a substitute
1929 amendment must be germane to both the main amendment and the
1930 measure to which it adheres.

1931 (b) AMENDMENTS THAT ARE NOT GERMANE. House amendments that
1932 are not germane include:

1933 (1) A general proposition amending a specific proposition.

1934 (2) An amendment amending a statute or session law when
1935 the purpose of the bill is limited to repealing such law, or an
1936 amendment repealing a statute or session law when the purpose of
1937 the bill is limited to amending such law.

1938 (3) An amendment that substantially expands the scope of
1939 the bill.

1940 (4) An amendment to a bill when legislative action on that
1941 bill is by law or these rules limited to passage, concurrence,
1942 or nonconcurrence as introduced.

1943 (c) AMENDMENTS THAT ARE GERMANE. Amendments that are
1944 germane include:

1945 (1) A specific provision amending a general provision.

1946 (2) An amendment that accomplishes the same purpose in a
1947 different manner.

1948 (3) An amendment limiting the scope of the proposal.

1949 (4) An amendment providing appropriations necessary to
1950 fulfill the original intent of a proposal.

1951 (5) An amendment that changes the effective date of a
1952 repeal, reduces the scope of a repeal, or adds a short-term
1953 nonstatutory transitional provision to facilitate repeal.

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(d) WAIVER OF RULE. Waiver of this rule shall require unanimous consent of the House.

12.9-Floor Amendments Out of Order

A floor An amendment is out of order if it is the principal substance of a bill that has:

(a) Received an unfavorable committee or subcommittee
~~council or committee~~ report,

(b) Been withdrawn from further consideration, or

(c) Not been reported favorably by at least one committee or subcommittee ~~council or committee~~ of reference,

and may not be offered to a bill on second or third reading the Calendar of the House and under consideration by the House. Any amendment that is substantially the same, and identical as to specific intent and purpose, as the measure residing in a committee or subcommittee ~~council or committee~~ of reference is covered by this rule.

12.10-Printing of Amendments in *Journal*

All amendments taken up, unless withdrawn, shall be printed in the *Journal*, except that an amendment to an appropriations bill constituting an entirely new bill shall not be printed except upon consideration of the conference committee report.

RULE THIRTEEN—RULES

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1981	13.1—Parliamentary Authorities		
1982	In all cases not provided for by the Florida Constitution, the		
1983	Rules of the House, or the Joint Rules of the Senate and House,		
1984	the guiding, but nonbinding, authority shall be first the		
1985	Rulings of the Speaker and then the latest edition of <i>Mason's</i>		
1986	<i>Manual of Legislative Procedure</i> .		
1987			
1988	13.2—Standing Rules Amendment		
1989	Any standing rule may be rescinded or changed by a majority vote		
1990	of the members, provided that the proposed change or changes be		
1991	submitted at least 1 day in advance by the Rules & Calendar		
1992	<u>Committee Council</u> in writing to the members together with notice		
1993	of the consideration thereof. Any standing rule may be suspended		
1994	temporarily by a two-thirds vote of the members present, except		
1995	as otherwise provided in these rules.		
1996			
1997	13.3—Rules Apply for Term		
1998	The standing rules adopted after the beginning of the term		
1999	govern all acts of the House during the course of the term		
2000	unless amended or repealed.		
2001			
2002	13.4—Joint Rules		
2003	The House shall be governed by joint rules approved by the House		
2004	and Senate during the term. Such joint rules may not be waived		
2005	except by agreement of both the House and Senate. A majority		
2006	vote of the House is required for such agreement.		
2007			

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2008	13.5—Authority and Interpretation		
2009	These rules are adopted pursuant to the specific authority		
2010	granted and the inherent powers vested in the House of		
2011	Representatives by the Florida Constitution. These rules are		
2012	intended to facilitate the orderly, practical, and efficient		
2013	completion of legislative work undertaken by the House. These		
2014	rules shall govern procedures in the House notwithstanding any		
2015	inconsistent parliamentary tradition and notwithstanding any		
2016	joint rule or any statute enacted by a prior Legislature.		
2017	Adoption of these rules constitutes the determination of the		
2018	House that they do not violate any express regulation or		
2019	limitation contained in the Florida Constitution. These rules		
2020	may not be construed to limit any of the powers, rights,		
2021	privileges, or immunities vested in or granted to the House by		
2022	the Florida Constitution or other organic law.		
2023			
2024	13.6—Majority Action		
2025	Unless otherwise indicated by these rules, all action by the		
2026	House or its <u>committees or subcommittees</u> councils or committees		
2027	shall be by majority vote of those members present and voting.		
2028	When the body is equally divided, the question is defeated.		
2029			
2030	13.7—Extraordinary Action		
2031	Unless otherwise required by these rules or the Florida		
2032	Constitution, all extraordinary votes shall be by vote of those		
2033	members present and voting.		
2034			

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2035 13.8—"Days" Defined
 2036 Wherever used in these rules, a "legislative day" means a day
 2037 when the House convenes and a quorum is present. All other
 2038 references to a "day" mean a calendar day.

2039

2040 RULE FOURTEEN—MISCELLANEOUS PROVISIONS

2041

2042 PART ONE—Public Records

2043

2044 14.1—Legislative Records

2045 There shall be available for public inspection, whether
 2046 maintained in Tallahassee or in a district office, the papers
 2047 and records developed and received in connection with official
 2048 legislative business, except as provided in s. 11.0431, Florida
 2049 Statutes, or other provision of law. Any person who is denied
 2050 access to a legislative record and who believes that he or she
 2051 is wrongfully being denied such access may appeal to the Speaker
 2052 the decision to deny access.

2053

2054 14.2—Legislative Records; Maintenance, Control, Destruction,
 2055 Disposal, and Disposition

2056 (a) Records that are required to be created by these rules
 2057 or that are of vital, permanent, or archival value shall be
 2058 maintained in a safe location that is easily accessible for
 2059 convenient use. No such record need be maintained if the
 2060 substance of the record is published or retained in another form
 2061 or location. Whenever necessary, but no more often than annually

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or less often than biennially, records required to be maintained may be archived.

(b) Other records that are no longer needed for any purpose and that do not have sufficient administrative, legal, or fiscal significance to warrant their retention shall be disposed of systematically.

(c) (1) The administrative assistant for each existing committee or subcommittee ~~council or committee~~ shall ensure compliance with this rule for all records created or received by the committee or subcommittee ~~council or committee~~ or for a former committee or subcommittee ~~council or committee~~ whose jurisdiction has been assigned to the committee or subcommittee ~~council or committee~~.

(2) The Speaker, the Speaker pro tempore, the Minority Leader, the Majority Leader, and the Sergeant at Arms shall ensure compliance with this rule for all records created or received by their respective offices and their predecessors in office.

(3) Each member shall ensure compliance with this rule for all records created or received by the member or the member's district office.

(4) The director of an ancillary House office shall ensure compliance with this rule for all records created or received by the director's office.

(5) The Clerk shall ensure compliance with this rule for all other records created or received by the House of Representatives.

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(d) If a committee ~~council~~, subcommittee ~~committee~~, or office is not continued in existence, the records of such committee ~~council~~, subcommittee ~~committee~~, or office shall be forwarded to the committee ~~council~~, subcommittee ~~committee~~, or office assuming the jurisdiction or responsibility of the former committee ~~council~~, subcommittee ~~committee~~, or office, if any. Otherwise, such records shall be forwarded to the Clerk.

(e) The Clerk shall establish a schedule of reasonable and appropriate fees for copies of legislative records and documents.

PART TWO—Distribution of Documents; Display of Signs

14.3—Distribution of Documents

Documents required by these rules to be printed or published may be produced and distributed on paper or in electronic form.

14.4—Display of Signs, Placards, and the Like

Signs, placards, or other objects of similar nature shall be permitted in the rooms, lobby, galleries, or Chamber of the House only upon approval of the Chair of the Rules & Calendar Committee ~~Council~~.

PART THREE—House Seal

14.5—House Seal

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(a) REQUIREMENT. There shall be an official seal of the House of Representatives. The seal shall be used only by or on behalf of a member or officer of the House in conjunction with his or her official duties or when specifically authorized in writing by the Chair of the Rules & Calendar Committee Council.

(b) CONFIGURATION. The seal shall be a circle having in the center thereof a view of the sun's rays over a highland in the distance, a sabal palmetto palm tree, a steamboat on the water, and a Native American female scattering flowers in the foreground, encircled by the words "House of Representatives."

(c) USE. Unless a written exception is otherwise granted by the Chair of the Rules & Calendar Committee Council:

(1) Material carrying the official seal shall be used only by a member, officer, or employee of the House or other persons employed or retained by the House.

(2) The use, printing, publication, or manufacture of the seal, or items or materials bearing the seal or a facsimile of the seal, shall be limited to official business of the House or official legislative business.

(d) CUSTODIAN. The Clerk shall be the custodian of the official seal.

RULE FIFTEEN—ETHICS AND CONDUCT OF MEMBERS

15.1—Legislative Ethics and Official Conduct

Legislative office is a trust to be performed with integrity in the public interest. A member is respectful of the confidence

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placed in the member by the other members and by the people. By personal example and by admonition to colleagues whose behavior may threaten the honor of the lawmaking body, the member shall watchfully guard the responsibility of office and the responsibilities and duties placed on the member by the House. To this end, each member shall be accountable to the House for violations of this rule or any provision of the House Code of Conduct contained in Rules 15.1-15.7.

15.2-The Integrity of the House

A member shall respect and comply with the law and shall perform at all times in a manner that promotes public confidence in the integrity and independence of the House and of the Legislature. Each member shall perform at all times in a manner that promotes a professional environment in the House, which shall be free from unlawful employment discrimination.

15.3-Improper Influence; Solicitation of Campaign Contributions

(a) A member may neither solicit nor ~~not~~ accept anything that reasonably may be construed to improperly influence the member's official act, decision, or vote.

(b) A member may neither solicit nor accept any campaign contribution during the 60-day regular legislative session or any extended or special session on the member's own behalf, on behalf of a political party, on behalf of any organization with respect to which the member's solicitation is regulated under s. 106.0701, Florida Statutes, or on behalf of a candidate for the

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2169 House of Representatives; however, a member may contribute to
2170 the member's own campaign.

2171
2172 15.4—Ethics; Conflicting Employment

2173 A member shall:

2174 (a) Scrupulously comply with the requirements of all laws
2175 related to the ethics of public officers.

2176 (b) Not allow personal employment to impair the member's
2177 independence of judgment in the exercise of official duties.

2178 (c) Not directly or indirectly receive or agree to receive
2179 any compensation for any services rendered or to be rendered
2180 either by the member or any other person when such activity is
2181 in substantial conflict with the duties of a member of the
2182 House.

2183
2184 15.5—Use of Official Position

2185 A member may not corruptly use or attempt to use the member's
2186 official position or any property or resource which may be
2187 within the member's trust in a manner contrary to the trust or
2188 authority placed in the member, either by the public or by other
2189 members, for the purpose of securing a special privilege,
2190 benefit, or exemption for the member or for others.

2191
2192 15.6—Use of Information Obtained by Reason of Official Position

2193 A member may engage in business and professional activity in
2194 competition with others but may not use or provide to others,
2195 for the member's personal gain or benefit or for the personal

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2196 gain or benefit of any other person or business entity, any
2197 information that has been obtained by reason of the member's
2198 official capacity as a member and that is unavailable to members
2199 of the public as a matter of law.

2200

2201 15.7—Representation of Another Before a State Agency

2202 A member may not personally represent another person or entity
2203 for compensation before any state agency other than a judicial
2204 tribunal. For the purposes of this rule, "state agency" means
2205 any entity of the legislative or executive branch of state
2206 government over which the Legislature exercises plenary
2207 budgetary and statutory control.

2208

2209 15.8—Advisory Opinions

2210 (a) A member, when in doubt about the applicability and
2211 interpretation of the House Code of Conduct or ethics laws to
2212 the member's conduct ~~these rules with respect to legislative~~
2213 ~~ethics and member conduct~~, may convey the facts of the situation
2214 to the House general counsel for an advisory opinion. The
2215 general counsel shall issue the opinion within 10 days after
2216 receiving the request. The advisory opinion may be relied upon
2217 by the member requesting the opinion. Upon request of any
2218 member, the committee or subcommittee ~~council or committee~~
2219 designated by the Speaker to have responsibility for the ethical
2220 conduct of members may revise an advisory opinion rendered by
2221 the House general counsel through an advisory opinion issued to
2222 the member who requested the opinion.

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(b) An advisory opinion rendered by the House general counsel or the committee or subcommittee ~~council or committee~~ shall be numbered, dated, and published. Advisory opinions from the House general counsel or the committee or subcommittee ~~council or committee~~ may not identify the member seeking the opinion unless such member so requests.

15.9—Penalties for Violations

Separately from any prosecutions or penalties otherwise provided by law, any member determined to have violated the requirements of these rules relating to ethics or member conduct shall be fined, censured, reprimanded, placed on probation, or expelled or have such other lesser penalty imposed as may be appropriate. Such determination and disciplinary action shall be taken by a two-thirds vote of the House, except that expulsions shall require two-thirds vote of the membership, upon recommendation of the Rules & Calendar Committee pursuant to Rule 18 ~~Select Committee on Standards of Official Conduct designated under Rule 16.2.~~

15.10—Felony Indictment or Information of a Member

(a) If an indictment or information for a felony of any jurisdiction is filed against a member of the House, the member indicted or informed against may request the Speaker to excuse the member, without pay, from all privileges of membership of the House pending final adjudication.

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2249 (b) If the indictment or information is either *nolle*
2250 *prossed* or dismissed, or if the member is found not guilty of
2251 the felonies charged, or lesser included felonies, then the
2252 member shall be paid all back pay and other benefits retroactive
2253 to the date the member was excused.

2254

2255 15.11–Felony Guilty Plea of a Member

2256 A member who enters a plea of guilty or *nolo contendere* to a
2257 felony of any jurisdiction may, at the discretion of the
2258 Speaker, be suspended immediately, without a hearing and without
2259 pay, from all privileges of membership of the House through the
2260 remainder of that member's term.

2261

2262 15.12–Felony Conviction of a Member

2263 (a) A member convicted of a felony of any jurisdiction
2264 may, at the discretion of the Speaker, be suspended immediately,
2265 without a hearing and without pay, from all privileges of
2266 membership of the House pending appellate action or the end of
2267 the member's term, whichever occurs first.

2268 (b) A member suspended under the provisions of this rule
2269 may, within 10 days after such suspension, file a written
2270 request for a hearing, setting forth specific reasons contesting
2271 the member's suspension. Upon receipt of a written request for a
2272 hearing, the Speaker shall appoint a select committee, which
2273 shall commence a hearing on the member's suspension within 30
2274 days and issue a report to the House within 10 days after the
2275 conclusion of the hearing. The report of the select committee

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shall be final unless the member, within 10 days after the issuance of the report, requests in writing that the Speaker convene the full House to consider the report of the select committee. Upon receipt of a request for such consideration, the Speaker shall timely convene the House for such purpose.

(c) If the final appellate decision is to sustain the conviction, then the member's suspension shall continue to the end of the member's term. If the final appellate decision is to vacate the conviction and there is a rehearing, the member shall be subject to Rule 15.10. If the final appellate decision is to vacate the conviction and no felony charges remain against the member, the member shall be entitled to restitution of back pay and other benefits retroactive to the date of suspension.

RULE SIXTEEN—PROCEDURES FOR CONDUCTING INVESTIGATIVE AND ENFORCEMENT PROCEEDINGS ~~PROCEDURES FOR LEGAL PROCEEDINGS~~

~~PART ONE—Committees Conducting Legal Proceedings~~

16.1—Issuance of Subpoenas ~~Procedures for Committees Conducting Legal Proceedings~~

(a) ~~Issuance of Subpoena~~

~~(1)~~ In order to carry out its duties, each standing or select committee, whenever required, may issue subpoenas ~~with the approval of the Speaker~~ and other necessary process to compel the attendance of witnesses before such committee or the taking of a deposition pursuant to these rules. ~~Pursuant to Rule~~

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2303 ~~7.1(b) and for purposes of Rule 16, the term "committee"~~
 2304 ~~includes any council.~~ The chair of the committee shall issue
 2305 such process on behalf of the committee after a majority of the
 2306 committee votes to approve issuance and the Speaker has provided
 2307 written approval. The chair or any other member of such
 2308 committee may administer all oaths and affirmations in the
 2309 manner prescribed by law to witnesses who shall appear before
 2310 such committee for the purpose of testifying in any matter about
 2311 which such committee may require evidence.

2312 (b)(2) Each standing or select committee, whenever
 2313 required, may also compel by subpoena *duces tecum* ~~with the~~
 2314 ~~approval of the Speaker~~ the production of any books, letters, or
 2315 other documentary evidence it may need to examine in reference
 2316 to any matter before it. The chair of the standing or select
 2317 committee shall issue process on behalf of the standing or
 2318 select committee after a majority of the committee votes to
 2319 approve issuance and the Speaker has provided written approval.

2321 16.2(b) Contempt Proceedings

2322 (a)(1) The House may punish, by fine or imprisonment, any
 2323 person who is not a member and who is guilty of disorderly or
 2324 contemptuous conduct in its presence or of a refusal to obey its
 2325 lawful summons.

2326 (b)(2) A person shall be deemed in contempt if the person:

2327 (1)a. Fails or refuses to appear in compliance with a
 2328 subpoena or, having appeared, fails or refuses to testify under
 2329 oath or affirmation;

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2330 ~~(2)b-~~ Fails or refuses to answer any relevant question or
 2331 fails or refuses to furnish any relevant book, paper, or other
 2332 document subpoenaed on behalf of such committee; or
 2333 ~~(3)e-~~ Commits any other act or offense against such
 2334 committee that, if committed against the Legislature or either
 2335 house thereof, would constitute contempt.
 2336 ~~(c)(3)~~ During a legislative session, a standing or select
 2337 committee may, by majority vote of all of its members, apply to
 2338 the House for contempt citation. The application shall be
 2339 considered as though the alleged contempt had been committed in
 2340 or against the House itself. If such committee is meeting during
 2341 the interim, its application shall be made to the circuit court
 2342 pursuant to Rule 16.6 ~~subsection (f)~~.
 2343 ~~(d)(4)~~ A person guilty of contempt under this rule may
 2344 ~~shall~~ be fined not more than \$500 or imprisoned not more than 90
 2345 days or both, or may ~~shall~~ be subject to such other punishment
 2346 as the House may, in the exercise of its inherent powers, impose
 2347 prior to and in lieu of the imposition of the aforementioned
 2348 penalty.
 2349 ~~(e)(5)~~ The sheriffs in the several counties shall make
 2350 such service and execute all process or orders when required by
 2351 standing or select committees. Sheriffs shall be paid as
 2352 provided for in s. 30.231, Florida Statutes.
 2353
 2354 16.3-(e) ~~False Swearing-~~
 2355 Whoever willfully affirms or swears falsely in regard to any
 2356 material matter or thing before any standing or select committee

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is guilty of false swearing ~~perjury~~ in an official proceeding,
which is a felony of the second ~~third~~ degree and shall be
punished as provided in s. 775.082, s. 775.083, or s. 775.084,
Florida Statutes.

16.4 ~~(d)~~ Rights of Witnesses

(a) ~~(1)~~ All witnesses summoned before any standing or
select committee shall receive reimbursement for travel expenses
and per diem at the rates provided in s. 112.061, Florida
Statutes. However, the fact that such reimbursement is not
tendered at the time the subpoena is served shall not excuse the
witness from appearing as directed therein.

(b) ~~(2)~~ Service of a subpoena requiring the attendance of a
person at a meeting of a standing or select committee shall be
made in the manner provided by law for the service of subpoenas
in a civil action at least 7 days prior to the date of the
meeting unless a shorter period of time is authorized by
majority vote of all the members of such committee. If a shorter
period of time is authorized, the persons subpoenaed shall be
given reasonable notice of the meeting, consistent with the
particular circumstances involved.

(c) ~~(3)~~ Any person who is served with a subpoena to attend
a meeting of any standing or select committee also shall be
served with a general statement informing the person of the
subject matter of such committee's investigation or inquiry and
a notice that the person may be accompanied at the meeting by
private counsel.

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2384 ~~(d)-(4)~~ Upon the request of any party and the approval of a
2385 majority of the standing or select committee, the chair shall
2386 instruct all witnesses to leave the meeting room and retire to a
2387 designated place. The witness shall be instructed by the chair
2388 not to discuss the testimony of the witness or the testimony of
2389 any other person with anyone until the meeting has been
2390 adjourned and the witness has been discharged by the chair. The
2391 witness shall be further instructed that if any person discusses
2392 or attempts to discuss the matter under investigation with the
2393 witness after receiving such instructions, the witness shall
2394 bring such matter to the attention of such committee. No member
2395 of such committee or representative thereof may discuss any
2396 matter or matters pertinent to the subject matter under
2397 investigation with any witness to be called before such
2398 committee from the time that these instructions are given until
2399 the meeting has been adjourned and the witness has been
2400 discharged by the chair. Any person violating this subsection
2401 ~~rule~~ shall be in contempt of the House Legislature.

2402 ~~(e)-(5)~~ Any standing or select committee taking sworn
2403 testimony from witnesses as provided herein shall cause a record
2404 to be made of all proceedings in which testimony or other
2405 evidence is demanded or adduced, which record shall include
2406 rulings of the chair, questions of such committee and its staff,
2407 the testimony or responses of witnesses, sworn written
2408 statements submitted to the committee, and such other matters as
2409 the committee or its chair may direct.

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(f)-(6) A witness at a meeting, upon advance request and at the witness's own expense, shall be furnished a certified transcript of the witness's testimony at the meeting.

16.5-(e) Right of Other Persons to be Heard

(a)-(1) Any person who, in the opinion of the committee, is adversely affected as a result of being ~~whose name is mentioned~~ or ~~who is~~ otherwise identified during a meeting being conducted for the purpose of taking sworn testimony from witnesses of any standing or select committee ~~and who, in the opinion of such committee, may be adversely affected thereby,~~ may, upon the request of the person or upon the request of any member of such committee, appear personally before such committee and testify on the person's own behalf, or, with such committee's consent, file a sworn written statement of facts or other documentary evidence for incorporation into the record of the meeting. Any such witness, however, shall, prior to filing such statement, consent to answer questions from such committee regarding the contents of the statement.

(b)-(2) Upon the consent of a majority of the members present, a quorum having been established, any standing or select committee may permit any other person to appear and testify at a meeting or submit a sworn written statement of facts or other documentary evidence for incorporation into the record. No request to appear, appearance, or submission shall limit in any way the committee's power of subpoena. Any such witness, however, shall, prior to filing such statement, consent

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to answer questions from any standing or select committee regarding the contents of the statement.

16.6—(f) Enforcement of Subpoena Out of Session

If any witness fails to respond to the lawful subpoena of any standing or select committee at a time when the Legislature is not in session or, having responded, fails to answer all lawful inquiries or to turn over evidence that has been subpoenaed, such committee may file a complaint before any circuit court of the state setting up such failure on the part of the witness. On the filing of such complaint, the court shall take jurisdiction of the witness and the subject matter of the complaint and shall direct the witness to respond to all lawful questions and to produce all documentary evidence in the possession of the witness that is lawfully demanded. The failure of any witness to comply with such order of the court shall constitute a direct and criminal contempt of court, and the court shall punish such witness accordingly.

16.7—Definition

Pursuant to Rule 7.1(b) and for purposes of Rule 16, the term "committee" includes the House and any subcommittee thereof.

RULE SEVENTEEN—ETHICS AND CONDUCT OF LOBBYISTS ~~PART THREE—Ethics and Conduct of Lobbyists~~

17.1 ~~16.3 Lobbyists; Requests for Advisory Opinions~~

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2464 ~~(a)~~ Obligations of a Lobbyist
 2465 (a)~~(1)~~ A lobbyist shall supply facts, information, and
 2466 opinions of principals to legislators from the point of view
 2467 that the lobbyist openly declares. A lobbyist shall not offer or
 2468 propose anything that may reasonably be construed to improperly
 2469 influence the official act, decision, or vote of a legislator,
 2470 nor shall a lobbyist attempt to improperly influence the
 2471 selection of officers or employees of the House. A lobbyist, by
 2472 personal example and admonition to colleagues, shall maintain
 2473 the honor of the legislative process by the integrity of the
 2474 lobbyist's relationship with legislators as well as with the
 2475 principals whom the lobbyist represents.
 2476 (b)~~(2)~~ A lobbyist shall not knowingly and willfully
 2477 falsify, conceal, or cover up, by any trick, scheme, or device,
 2478 a material fact; make any false, fictitious, or fraudulent
 2479 statement or representation; or make or use any writing or
 2480 document knowing the same to contain any false, fictitious, or
 2481 fraudulent statement ~~statements~~ or entry.
 2482 (c)~~(3)~~ During a regular session, or any extended or
 2483 special session, a lobbyist may not contribute to a member's
 2484 campaign.
 2485 (d)~~(4)~~ A lobbyist may not make any expenditure prohibited
 2486 by s. 11.045(4)(a), Florida Statutes.
 2487 (e)~~(5)~~ No registered lobbyist shall be permitted upon the
 2488 floor of the House while it is in session.
 2489
 2490 17.2 ~~(b)~~ Advisory Opinions; Compilation Thereof-

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2491 A lobbyist, when in doubt about the applicability and
 2492 interpretation of Rule 17.1 ~~subsection (a)~~ in a particular
 2493 context related to that lobbyist's conduct, or any person when
 2494 in doubt about the applicability and interpretation of s.
 2495 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, as such
 2496 statute or statutes may apply to that person, may request an
 2497 advisory opinion under this rule ~~subsection~~. Such request shall
 2498 be in writing, addressed to the Speaker, and shall contain the
 2499 relevant facts. The Speaker shall either refer the issue to the
 2500 House general counsel for review and drafting of an advisory
 2501 opinion of the Speaker or refer the issue to a committee
 2502 designated by the Speaker to have responsibility for the ethical
 2503 conduct of lobbyists, and the person requesting the advisory
 2504 opinion may appear in person before such committee. The Speaker
 2505 or this committee shall render advisory opinions to the person
 2506 who seeks advice as to whether the facts as described in the
 2507 request and any supplemental communication would constitute a
 2508 violation of such rule or statute by that person. Such opinion,
 2509 until amended or revoked, shall be binding upon the House in any
 2510 proceeding upon a subsequent complaint concerning the person who
 2511 sought the opinion and acted on it in good faith, unless
 2512 material facts were omitted or misstated in the request for the
 2513 advisory opinion. Upon request of the person who requested the
 2514 advisory opinion or any member, the committee designated by the
 2515 Speaker to have responsibility for the ethical conduct of
 2516 lobbyists may revise any advisory opinion issued by the Speaker
 2517 or may revise any advisory opinion issued by the general counsel

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2518 of the Office of Legislative Services under Joint Rule 1.8. The
 2519 House general counsel or this committee shall make sufficient
 2520 deletions to prevent disclosing the identity of persons in the
 2521 decisions or opinions. All advisory opinions of the Speaker or
 2522 this committee shall be numbered, dated, and published in an
 2523 annual publication of the House. The Clerk shall keep a
 2524 compilation of all advisory opinions.
 2525
 2526 17.3 ~~16.4~~ Penalties for Violations
 2527 Separately from any prosecutions or penalties otherwise provided
 2528 by law, any person determined to have violated the foregoing
 2529 requirements of Rule 17 ~~these rules~~, any provision in Joint Rule
 2530 One, or s. 11.045, s. 112.3148, or s. 112.3149, Florida
 2531 Statutes, any law, rule, regulation, or other standard of
 2532 ~~conduct by a person subject to the provisions of Rule 16.2 or~~
 2533 ~~Rule 16.3~~ may be reprimanded, censured, prohibited from lobbying
 2534 for all or any part of the legislative biennium during which the
 2535 recommended order is proposed, or have such other penalty
 2536 imposed as may be appropriate. Such determination shall be made
 2537 by a majority of the House, upon recommendation of the Rules &
 2538 Calendar Committee pursuant to Rule 18 ~~Select Committee on~~
 2539 ~~Standards of Official Conduct designated under Rule 16.2~~. Any
 2540 prohibition or other limitation imposed by the House may be
 2541 continued for up to a total of 2 years by a determination made
 2542 by a majority of the House at or following the Organization
 2543 Session following the biennium during which such prohibition or
 2544 other limitation was imposed.

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RULE EIGHTEEN ~~PART TWO~~ COMPLAINTS AGAINST MEMBERS AND
OFFICERS OF THE HOUSE, LOBBYISTS, AND OTHER PERSONS

18.1 ~~16.2~~ Complaints against Members and Officers of the House,
Lobbyists, and Other Persons; Procedure
Rule 18 governs ~~The following rules govern~~ proceedings on all
complaints under the jurisdiction of the House. Such complaints
include:

(a) Those alleging violation of law, violation of the
House Code of Conduct, or improper conduct of a member or
officer that may reflect upon the House; or

(b) ~~Violations of law or of the House Code of Conduct by a~~
~~member or officer, violations of administrative regulations of~~
~~the House relating to the conduct of individuals in the~~
~~performance of their duties as members or officers, or~~
~~violations of the Rules of the House, Joint Rule One~~ or, s.
11.045, s. 112.3148, or s. 112.3149, Florida Statutes, ~~or any~~
~~other applicable standard of conduct~~ by any lobbyist or person
other than a member of the House.

~~(a) Form and Content of a Complaint~~

~~(1) A complaint shall be in writing and under oath,~~
~~setting forth in simple, concise statements the following:~~

a. ~~The name and legal address of the party filing the~~
~~complaint (complainant).~~

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~~b. The name and position or title of the member or officer of the House or other person (respondent) alleged to have committed a violation under the jurisdiction of the House.~~

~~c. The nature of the alleged violation, based upon the personal knowledge of the complainant, including, if possible, the specific section of the House Code of Conduct, Joint Rule One, or law, rule, regulation, or other standard of conduct alleged to have been violated.~~

~~d. The facts alleged to have given rise to the violation.~~

~~(2) The complainant shall attach to the complaint all documents in the possession of the complainant that are relevant to and support the allegations of the complaint.~~

~~(3) A complaint may be withdrawn by the complainant at any time.~~

~~(b) Filing and Initial Processing of Complaints. All complaints shall be initially filed with the Speaker who shall then promptly forward the complaint to the Chair of the Rules & Calendar Council. The Chair of the Rules & Calendar Council shall initially review all complaints.~~

~~(1) Upon receipt of a complaint, the Rules & Calendar Council shall note the date of receipt.~~

~~(2) If the complaint is against the Chair of the Rules & Calendar Council, the chair shall return the complaint to the Speaker. If the complaint alleges a violation by an employee of the House, the chair shall return the complaint to the Speaker for disposition as provided in Rule 4.3.~~

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~~(3) The chair shall, within 5 days (excluding Saturdays, Sundays, and official state holidays), notify the member, lobbyist, or other person against whom the complaint has been filed and provide such member, lobbyist, or other person with a copy of the complaint. For purposes of these rules, a complaint against a lobbying firm shall be treated as a complaint against each lobbyist who is a partner, owner, officer, or employee of the lobbying firm. For purposes of Rule 16, the term "person" includes any principal regardless of the organizational form of the principal.~~

~~(4) The chair shall, within 20 days:~~

~~a. Examine each complaint for jurisdiction and compliance with subsection (a). If the chair determines that a complaint does not comply with such rule, the complaint shall be returned to the complainant with a general statement that the complaint is not in compliance with such rule and with a copy of the rule. A complainant may resubmit a complaint, provided such complaint is resubmitted prior to the expiration of the time limitation set forth in subsection (1);~~

~~b. Dismiss the complaint and notify the complainant and the respondent of such action if the chair determines that the verified complaint does not allege facts sufficient to constitute a violation under the jurisdiction of the House;~~

~~c. Attempt to correct or prevent the alleged violation by informal means if the chair determines that a violation is inadvertent, technical, or otherwise de minimis; or~~

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~~d. Transmit a copy of the complaint to the Speaker and, in writing, request the appointment of a Probable Cause Panel or Special Investigator regarding the complaint, if the chair determines that such a complaint does allege facts sufficient to constitute a violation under the jurisdiction of the House and that the complaint is not *de minimis*. A copy of the letter shall be provided to the complainant and the respondent.~~

~~(c) Appointment of Probable Cause Panel or Special Investigator~~

~~(1) Creation. When the Speaker receives a copy of a complaint and a request for appointment made pursuant to subsection (b), and whenever the Speaker receives audit information indicating a possible violation of s. 11.045, Florida Statutes, other than a late-filed report by a lobbying firm (which shall be treated as the respondent for purposes of this rule), the Speaker shall, within 20 days, either appoint a Probable Cause Panel (panel) consisting of an odd number of members or appoint a Special Investigator. If the Speaker appoints a panel, the Speaker shall also designate one member of the panel as its chair. The Speaker may appoint up to two additional persons who are not members of the House to serve as nonvoting, public members of a panel.~~

~~(2) Powers and Duties. The panel or the Special Investigator shall have the following powers and duties:~~

~~a. Investigate complaints and possible violations resulting from audits, and promptly make appropriate findings of~~

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~~fact regarding allegations of improper conduct sufficient to
establish probable cause of the violations complained of.~~

~~b. Based upon an investigation by the panel or Special
Investigator, make and report findings of probable cause to the
Speaker and to the House as they relate to the underlying
complaint.~~

~~c. Recommend to the Rules & Calendar Council such
additional rules or regulations as the panel or the Special
Investigator shall determine are necessary or desirable to
ensure proper standards of conduct by members and officers of
the House in the performance of their duties or by lobbyists or
others regulated by s. 11.045, s. 112.3148, or s. 112.3149,
Florida Statutes.~~

~~d. Adopt rules of procedure as appropriate.~~

~~(3) Quorum. A quorum of a panel, when appointed, shall
consist of a majority of the members of the panel. All action by
a panel shall require the concurrence of a majority of the full
panel.~~

~~(4) Term. A panel or Special Investigator, as appropriate,
shall serve until the complaint that occasioned the appointment
of the panel or the Special Investigator has been dismissed or
until a finding of probable cause has been transmitted to the
Speaker.~~

~~(d) Preliminary Investigation and Probable Cause Finding
by Probable Cause Panel or Special Investigator~~

~~(1) Preliminary Investigation~~

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~~a. The panel or the Special Investigator shall provide the respondent an opportunity to present to the panel, Special Investigator, or staff of the panel, orally or in writing, a statement responding to the allegations set forth in the complaint.~~

~~b. The panel, Special Investigator, or staff of the panel may interview witnesses and examine documents and other evidentiary matters.~~

~~c. The panel or Special Investigator may order the testimony of witnesses to be taken under oath, in which event the oath may be administered by the chair or any other member of the panel, by the Special Investigator, or by any person authorized by law to administer oaths.~~

~~d. The panel or Special Investigator may require, by subpoena issued pursuant to these rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.~~

~~(2) Probable Cause Finding~~

~~a. Findings~~

~~1. The panel, by a recorded vote of a majority of the full panel, or the Special Investigator, as appropriate, shall determine whether there is probable cause to conclude that a violation within the jurisdiction of the panel or the Special Investigator has occurred.~~

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~~2. If the panel or Special Investigator, as appropriate, finds that probable cause does not exist, the panel or Special Investigator shall dismiss the complaint and notify the complainant and the respondent of its determination.~~

~~3. If the panel or Special Investigator, as appropriate, determines that probable cause exists to believe that a violation occurred but that the violation, if proven, is de minimis or is not sufficiently serious to justify expulsion, censure, reprimand, or the imposition of a penalty pursuant to Rule 16.4, the panel or Special Investigator may recommend an appropriate lesser penalty or may resolve the complaint informally. If the respondent agrees, a summary of the panel's or Special Investigator's conclusions, as appropriate, shall be published in the *Journal* and the penalty agreed upon shall be imposed. If the panel or Special Investigator is unable to satisfactorily settle the complaint, the complaint shall be subject to a full evidentiary hearing before the Select Committee on Standards of Official Conduct.~~

~~4. If the panel or Special Investigator determines that probable cause exists to believe that a violation occurred and that, if proven, would be sufficiently serious to justify expulsion, censure, reprimand, or the imposition of a penalty pursuant to Rule 16.4, the panel or Special Investigator shall transmit to the Speaker a Statement of Alleged Violation. The statement shall be divided into counts, and each count shall be related to a separate violation and shall contain a plain and concise statement of the alleged facts of such violation,~~

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2727 ~~including a reference to the provision of the House Code of~~
2728 ~~Conduct, Joint Rule One, or law, rule, regulation, or other~~
2729 ~~standard of conduct alleged to have been violated. A copy of the~~
2730 ~~statement shall be furnished to each respondent.~~

2731 ~~b. Collateral Proceedings. If the complaint against a~~
2732 ~~member or officer of the House has been the subject of action~~
2733 ~~before any other body, the panel or Special Investigator may~~
2734 ~~forward the complaint directly to a hearing pursuant to~~
2735 ~~subsection (c).~~

2736 ~~(c) Select Committee on Standards of Official Conduct~~

2737 ~~(1) Select Committee on Standards of Official Conduct. The~~
2738 ~~Speaker shall appoint a Select Committee on Standards of~~
2739 ~~Official Conduct (select committee) within 20 days after receipt~~
2740 ~~by the Speaker of a Statement of Alleged Violation or findings~~
2741 ~~by the Commission on Ethics regarding a member of the House. The~~
2742 ~~select committee shall hold hearings regarding the statement,~~
2743 ~~hold hearings to determine whether a violation has occurred,~~
2744 ~~and, if appropriate, make a recommendation for disciplinary~~
2745 ~~action or other punishment to the full House.~~

2746 ~~(2) Referee. The select committee may, in its discretion~~
2747 ~~and with the approval of the Speaker, employ a referee to~~
2748 ~~preside over the proceedings, to hear testimony, and to make~~
2749 ~~findings of fact and recommendations to the select committee~~
2750 ~~concerning the disposition of complaints. A hearing before a~~
2751 ~~referee shall follow the rules of procedure and evidence~~
2752 ~~applicable to a hearing before the select committee. A referee~~
2753 ~~shall prepare a proposed recommended order and file it, together~~

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2754 ~~with the record of the hearing, with the select committee.~~
 2755 ~~Copies of the proposed recommended order shall be served on all~~
 2756 ~~parties. The proposed recommended order shall contain the time~~
 2757 ~~and place of the hearing, appearances entered at the hearing,~~
 2758 ~~issues, and proposed findings of fact and conclusions of law.~~
 2759 ~~The respondent and the independent counsel (or the committee's~~
 2760 ~~legal advisor) may file written exceptions with the select~~
 2761 ~~committee in response to a referee's recommended order.~~
 2762 ~~Exceptions shall be filed within 20 days after service of the~~
 2763 ~~recommended order unless such time is extended by the referee or~~
 2764 ~~the chair of the select committee.~~
 2765 ~~(3) Independent Counsel. The Select Committee on Standards~~
 2766 ~~of Official Conduct is authorized to retain and compensate~~
 2767 ~~counsel not regularly employed by the House, as authorized by~~
 2768 ~~the Speaker.~~
 2769 ~~(4) Consent Decree. At any point during which the select~~
 2770 ~~committee has jurisdiction over the complaint, the respondent~~
 2771 ~~and the select committee may agree to a consent decree. The~~
 2772 ~~consent decree shall state findings of fact and shall be~~
 2773 ~~published in the Journal. The consent decree shall contain such~~
 2774 ~~penalty as may be appropriate. If the House accepts the consent~~
 2775 ~~decree, the complaint pursuant to these proceedings shall be~~
 2776 ~~resolved. If the House does not accept the consent decree, the~~
 2777 ~~proceedings before the select committee shall resume.~~
 2778 ~~(f) Adjudicatory Hearing by Select Committee~~
 2779 ~~(1) Hearing. A hearing regarding a violation charged in a~~
 2780 ~~Statement of Alleged Violation or, in the case of a member, a~~

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~~hearing regarding a complaint and findings by the Commission on Ethics, shall be held promptly to receive evidence upon which to base findings of fact and recommendations, if any, to the House respecting such violation.~~

~~a. Chair. The chair of the select committee or other member presiding at a hearing shall rule upon any question of admissibility of testimony or evidence presented to the select committee. Rulings shall be final unless reversed or modified by a majority vote of the members of the select committee. If the select committee appoints a referee, the referee shall make all evidentiary rulings.~~

~~b. Prosecutor. With respect to complaints against members, the select committee shall serve as prosecutor for hearings and staff of the select committee shall serve as legal advisor. For all hearings involving a lobbyist or others regulated by s. 11.045, s. 112.3148, or s. 112.3149, Florida Statutes, the staff of the select committee shall serve as prosecutor. In any case, the select committee may retain independent counsel to serve as prosecutor.~~

~~e. Respondent's Rights. A respondent shall have the right to be represented by legal counsel, to call witnesses, to introduce exhibits, and to cross-examine opposing witnesses. A respondent or respondent's counsel shall be permitted to take the deposition of the complainant in accordance with subparagraph (2)b.~~

~~d. Complainant's Rights. The complainant is not a party to any part of the complaint process or these proceedings. The~~

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~~complainant has no standing to challenge these rules or procedures and has no right to appeal. The complainant may submit a list of witnesses or questions for the select committee's consideration to assist in its preparation for the hearing.~~

~~(2) Rules of Procedure and Evidence. The select committee may adopt formal and informal rules of procedure as appropriate to its needs. The select committee may consider any reliable evidence as it sees fit. The following minimum rules of procedure and evidence shall apply:~~

~~a. Evidence. Irrelevant, immaterial, or unduly repetitious evidence shall be excluded, but all other evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, regardless of whether such evidence would be admissible in a trial in the courts of Florida. However, hearsay evidence may not be used unless it would be admissible under the *Florida Rules of Evidence* and shall not be sufficient in itself to support a factual finding unless it would be admissible over objection in civil actions.~~

~~b. Discovery. Discovery may be permitted upon motion, which shall state the reason therefor. Discovery shall be in accordance with the *Florida Rules of Civil Procedure* but may be limited in time, scope, and method by the chair or the referee.~~

~~e. Testimony. The select committee shall order the testimony of witnesses to be taken under oath. The oath may be administered by the chair or a member of the select committee,~~

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~~by any referee, or by any person authorized by law to administer oaths.~~

~~d. Subpoenas. The select committee may require, by subpoena issued pursuant to these rules or otherwise, the attendance and testimony of witnesses and the production of such books, records, correspondence, memoranda, papers, documents, and other items as it deems necessary to the conduct of the inquiry.~~

~~e. Order of Hearing. The order of the full hearing before the select committee or the referee shall be as follows:~~

~~1. The chair or the referee shall open the hearing by stating the select committee's authority to conduct the hearing, the purpose of the hearing, and its scope.~~

~~2. Testimony from witnesses and other evidence pertinent to the subject of the hearing shall be received in the following order, whenever possible: witnesses and other evidence offered by the independent counsel, witnesses and other evidence offered by the respondent, and rebuttal witnesses. The select committee may call witnesses at any time during the proceedings.~~

~~3. Witnesses at the hearing shall be examined first by the independent counsel or by the staff of the select committee, as the case may be. The respondent or the respondent's counsel may then cross-examine the witnesses. The members of the select committee may then question the witnesses. Redirect and recross may be permitted at the chair's or the referee's discretion. With respect to witnesses offered by the respondent, a witness shall be examined first by the respondent or the respondent's~~

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~~counsel and then may be cross-examined by the independent
counsel or by the staff of the select committee, as the case may
be. Members of the select committee may then question the
witness. Redirect and recross may be permitted at the chair's or
the referee's discretion. Participation by the select committee
at the hearing stage is at the sole discretion of the select
committee and is not mandatory.~~

~~(3) Burden of Proof. At the hearing, the burden of proof
rests on the appointed independent counsel or the staff of the
select committee, as the case may be, to establish the facts
alleged by clear and convincing evidence with respect to each
count.~~

~~(4) Committee Deliberations. As soon as practicable, the
select committee shall consider each count contained in a
Statement of Alleged Violation, in a complaint and findings, or
in a proposed recommended order, as the case may be. A count
shall not be proven unless at least a majority of the members of
the select committee vote for a motion that the count has been
proved. A count that is not proved shall be considered as
dismissed by the select committee.~~

~~(5) Dismissal of Complaint. If the select committee finds
that the respondent has not violated any of the provisions under
jurisdiction of the House, it shall order the action dismissed
and shall notify the respondent and the complainant of such
action. The select committee shall, in writing, state its
findings of fact regarding the dismissal.~~

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~~(6) Report to the House. If the select committee finds that the respondent has violated any of the provisions under the jurisdiction of the House, it shall, in writing, state its findings of fact and submit a report to the House. A copy of the report shall be sent to the respondent and the complainant and shall be published in the Journal. With respect to any violation that the select committee has voted as proved, the select committee may recommend to the House that the respondent be penalized as authorized by the Rules of the House.~~

18.2-Violations; Investigations

(a) Any person may file a sworn complaint with the Chair of the Rules & Calendar Committee alleging a violation as provided in Rule 18.1. The complaint shall be based on personal knowledge of the complainant, shall state detailed facts, shall specify the actions of the named respondent which form the basis for the complaint, and shall identify each specific rule or law alleged by the complainant to have been violated.

(b) Upon a determination by the Chair of the Rules & Calendar Committee that the complaint states facts supporting a finding of probable cause, the Speaker shall refer the complaint to a special master or to a select committee. Upon a determination by the Chair of the Rules & Calendar Committee that the complaint fails to state facts supporting a finding of probable cause, the complaint shall be dismissed.

(c) Upon referral by the Speaker of a complaint under subsection (b), the special master or select committee shall

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conduct an investigation, shall give reasonable notice to the respondent, and shall grant the respondent an opportunity to be heard unless the investigation fails to reveal facts supporting a finding of probable cause. A special master's or select committee's report and recommendation is advisory only and shall be presented to the Chair of the Rules & Calendar Committee as soon as practicable after the close of the investigation. If the report and recommendation conclude that the facts do not support a finding of probable cause, the complaint shall be dismissed by the Chair of the Rules & Calendar Committee.

(d) If the complaint is not dismissed by the special master or the select committee, the Rules & Calendar Committee shall consider the report and recommendation, shall grant the respondent an opportunity to be heard, and shall develop its own recommendation. If the complaint is against the Chair of the Rules & Calendar Committee, the chair is excused and the vice chair shall conduct the deliberation. If the Rules & Calendar Committee votes to dismiss the complaint, the Chair of the Rules & Calendar Committee or vice chair shall dismiss the complaint. Otherwise, the special master's or select committee's report and recommendation and the recommendation of the Rules & Calendar Committee shall be presented to the Speaker.

(e) The Speaker shall present the committee's recommendation, along with the special master's report and recommendation, to the House for final action.

(f) Nothing in this rule prohibits the Chair of the Rules & Calendar Committee from correcting or preventing the alleged

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violation by informal means if the chair determines that a violation is inadvertent, technical, or otherwise *de minimis*.

(g) Nothing in this rule prohibits the respondent and the Chair of the Rules & Calendar Committee, the special master, or a select committee from agreeing to a consent decree, which shall state findings of fact, and such penalty as may be appropriate. If the House accepts the consent decree, the complaint pursuant to these rules shall be resolved.

(h) The House may move forward with disciplinary proceedings without waiting for the outcome of a criminal case.

~~18.3-(g) Confidentiality-~~

Any material provided to the House in response to a complaint filed under Rule 18 ~~this rule~~ that is confidential under applicable law shall remain confidential and shall not be disclosed except as authorized by applicable law. Except as otherwise provided in this rule subsection, a complaint and the records relating to a complaint shall be available for public inspection upon the dismissal of a complaint ~~by the Chair of the Rules & Calendar Council~~, a determination as to probable cause, ~~or informal resolution of a complaint by a Special Investigator or Probable Cause Panel~~, or the receipt by the Speaker of a request in writing from the respondent that the complaint and other records relating to the complaint be made public records.

~~(h) Attorney's Fees. With respect to complaints filed against a member, when a panel or a Special Investigator finds that probable cause does not exist or the select committee finds~~

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2969 ~~that the respondent has not violated any of the provisions of~~
 2970 ~~the House Code of Conduct, Joint Rule One, or a law, rule,~~
 2971 ~~regulation, or other standard of conduct, the panel, the Special~~
 2972 ~~Investigator, or the select committee may recommend to the~~
 2973 ~~Speaker that the reasonable attorney's fees and costs incurred~~
 2974 ~~by the respondent be paid by the House. Payment of such~~
 2975 ~~reasonable fees and costs shall be subject to the approval of~~
 2976 ~~the Speaker.~~

2977

2978 18.4-(i) ~~Conflict.~~

2979 If a complaint is filed against the Chair of the Rules &
 2980 Calendar Committee Council, the initial review of the complaint
 2981 shall be managed by the Speaker or, if designated by the
 2982 Speaker, the Speaker pro tempore. If a complaint is filed
 2983 against the Speaker, the duties of the Speaker pursuant to Rule
 2984 18 ~~this rule~~ shall be transferred to the Speaker pro tempore.

2985 ~~(j) Collateral Actions~~

2986 ~~(1) Criminal Actions. Any criminal complaints relating to~~
 2987 ~~members shall be governed by these rules.~~

2988 ~~(2) Commissions or Quasi Judicial Agencies with Concurrent~~
 2989 ~~Jurisdiction. If a complaint against a member or an officer of~~
 2990 ~~the House is filed with a commission or quasi-judicial agency~~
 2991 ~~with concurrent jurisdiction, the Chair of the Rules & Calendar~~
 2992 ~~Council, a Probable Cause Panel or a Special Investigator, and~~
 2993 ~~the select committee shall have the discretion to refrain from~~
 2994 ~~processing a similar complaint until such commission or quasi-~~
 2995 ~~judicial agency has completed its review of the matter. If such~~

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~~a complaint is filed initially with the Speaker and subsequently
filed with a commission or quasi-judicial agency with concurrent
jurisdiction, the Chair of the Rules & Calendar Council, the
panel, the Special Investigator, and the select committee shall
have the discretion to suspend their proceedings until all such
commissions and agencies have completed their review of the
matter.~~

~~(k) Ex Parte Communications~~

~~(1) A Special Investigator or a member of a panel or
select committee shall not initiate or consider any ex parte
communication relative to the merits of a pending complaint
proceeding by:~~

~~a. Any person engaged in prosecution or advocacy in
connection with the matter; or~~

~~b. A party to the proceeding or any person who, directly
or indirectly, would have a substantial interest in the action
of a panel, Special Investigator, or select committee, or
authorized representatives or counsel thereof.~~

~~(2) Except when acting in an official capacity as a
Special Investigator, a member of a panel or a select committee
shall not comment upon or discuss with any other person the
matters that occasioned the appointment of the Special
Investigator, panel, or select committee during the pendency of
proceedings held pursuant to this rule. This subsection shall
not apply to communications initiated or considered by the
Special Investigator or the chair of the panel or select
committee relating to a settlement or to a consent decree.~~

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3023
 3024 18.5~~(1)~~ Time Limitations
 3025 (a)~~(1)~~ A complaint must be filed with the Speaker within 2
 3026 years after the alleged violation.
 3027 (b)~~(2)~~ A violation of the House Code of Conduct is
 3028 committed when every element necessary to establish a violation
 3029 of the rule has occurred, and time starts to run on the day
 3030 after the violation occurred.
 3031 (c)~~(3)~~ The applicable period of limitation is tolled on
 3032 the day a sworn complaint against the member or officer is filed
 3033 with the Speaker. ~~If it can be concluded from the face of the~~
 3034 ~~complaint that the applicable period of limitation has run, the~~
 3035 ~~allegations shall not be considered a complaint for the purpose~~
 3036 ~~of requiring action by the Chair of the Rules & Calendar~~
 3037 ~~Council. The complaint and all material related thereto shall~~
 3038 ~~remain confidential.~~